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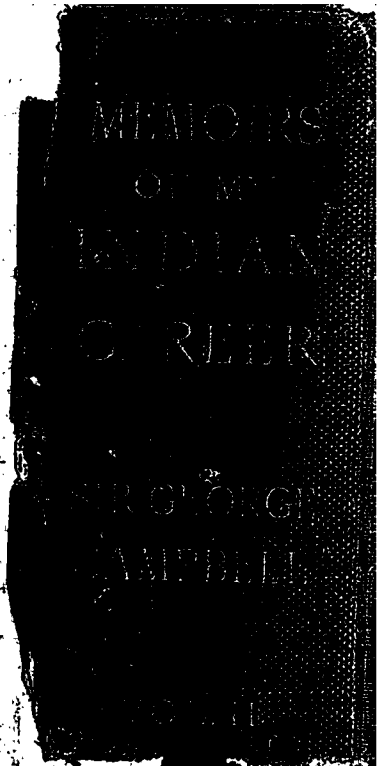

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MEMOIRS OF MY INDIAN CAREER

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MEMOIRS

OF

MY INDIAN CAREER

BY

SIR GEORGE CAMPBELL

M.P., K.C.S.I., D.C.L.

EDITED BY

SIR CHARLES E. BERNARD

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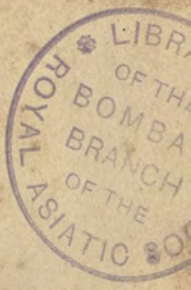

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CHAPTER VII

OUDE

OUDE, or Awadh, is a corruption of Ajoodia, the name of a famous ancient Hindoo city, formerly capital of a great province. Lucknow is quite a recent place, the modern capital of the Mahomedan Soobadar or Nawab-Vizier, afterwards made by us King of Oude. As a modern capital the place had grown exceedingly, and was, I think, about the largest purely native city in India. But the buildings were the work of shoddy modern contractors and of a gingerbread character. The place, however, was the seat of much native civilisation and art, such as it was. The Court was a refined Court, as native refinement goes.

The Oude of the present century was just half that of the last century, the Nawab-Vizier having ceded half his territories to us in the beginning of the present century. Surrounded, then, on three sides by the British districts of the North-Western Provinces, the people of Oude and the native institutions were identical with those of our territories, with only this difference, that when we annexed Oude in 1856 the North-Western Provinces had been for fifty years under our rule, while the reduced Oude had remained under native rule. The King at the time of annexation was removed to Calcutta in 1856, but most of his relatives and nobles remained at Lucknow.

Apart from the population of Oude and Fyzabad, where there were many Mahomedans, the rural population of the country was mostly Hindoo, Mahomedans being in

very small proportion among the agricultural population. Rajpoots and Brahmins were very numerous, Ajoodia being the ancient Rajpoot centre, while about the latitude of Cawnpore, on both sides of the Ganges, is very much a Brahmin country. These people supplied very many Sepoys to our regiments. It was sometimes said that the misgovernment of Oude caused many men from that country to enlist, but I do not know that it has ever been ascertained that the Sepoys came in larger proportion from Oude than from some of the British districts, as Cawnpore, and some parts of Behar.

The Oude Royal Family were of the Sheeah sect. I rather think the Sheeahs are generally more liberal—at any rate the Lucknow family were not only, in spite of all their faults, always friendly to us, but they had also more free social intercourse with us than most natives. The Oude princes and nobles of Lucknow, men of very polished manners, eat freely with Europeans, entertained them, and were entertained by them. These people had nothing to do with the rebellion, though latterly, when it had lasted for months, a Begum and a boy were found to set up as puppets to represent royalty. The great landholders were mostly Hindoos, and of those who were Mahomedans, some of the most important were converts who still retained Hindoo titles and customs.

On the annexation of Oude in 1856, the administration was formed on the Punjaub model—a Chief Commissioner; a Judicial Commissioner, to look after justice, police, jails, etc.; a Financial Commissioner, to look after revenue, including the administration of the land, besides Divisional Commissioners and executive officers. On the suppression of the revolt the same system was continued, but it was thought that the Judicial and Financial Commissioners might be reduced to one. General Outram, the Chief Commissioner, had been absent on the Persian expedition, but returned during the Mutiny. The Judicial Commissioner, the Commissioner of the Lucknow division, and others, had been killed in the siege, the Financial Commissioner and a

good many more had been invalided, and the administration had to be reformed *de novo*. Lord Canning informed me that I was to be Judicial and Financial Commissioner under Outram, with a very liberal salary, and that arrangement entirely pleased me. From all I heard of Outram I believed he would be most pleasant to work with, and would probably leave to me most of the ordinary Civil Administration. When Lord Canning showed me his confiscation proclamation, and asked what I thought of it, I had expressed myself with considerable frankness. It turned out that an entirely new land policy was in the wind; and it was probably then prudent, though somewhat disappointing to me, that, before Lucknow was taken and my appointment formally gazetted, my appointment of Financial Commissioner was restricted so far as respects the land, and I was to take the other duties of that office, and anything or everything that might be made over to me in addition to the proper functions of Judicial Commissioner. However, with such a man as Outram, I did not think it would make very much difference, and I made no objection. I found him fuming very much about the confiscation, but little as I liked it, after the personal explanations I had had with Lord Canning, my *rôle* rather was to smooth him down in the matter—the more as the explanations I had obtained were immediately confirmed by an official letter from the Government. I found Outram charming—I had scarcely known him personally—and his outer man was not the best part of him; but I speedily realised that charm of temperament which had always made him so popular. He was well employed in political and military matters, and readily left all the rest to me. I found Lucknow a sad spectacle of a much battered and gutted city, occupied by a victorious army, after the many contests of which it had been the scene for the past nine months. I do not think there had been much unnecessary cruelty or slaughter in the assault, except only that dreadful massacre of the Sepoys who were surrounded and slaughtered in the Shah Najaf.

Exceptions no doubt there were. There was a story

told so circumstantially, with particulars of the exact time and place in a certain bazaar, that I think there must have been something in it—viz. that the European soldiers in the heat of the assault had killed some women. But I do not think that there was much of that sort of thing. A great deal of plundering there was, beginning with the well-known Begum Kotee, where poor Hodson lost his life, when he had no military function there whatever. I think, however, that the rebels had been so much before our soldiers that the plunder was not so valuable as was expected. There was a story of a Sikh who went to an officer, and in a very confidential way unrolled from his turban some brilliants which he had got, and innocently did not know the value of, but asked advice. The officer recognised them as splendid diamonds, and thought he had made a tremendous bargain in getting them from the Sikh for 500 rupees. They turned out to be bits of glass from the chandeliers in the Palace. There was a first-rate photographer in attendance taking all the scenes, and I have a set of his photographs still. Lucknow architecture showed better in photographs under those circumstances than afterwards in quiet life, and many of the scenes were really very striking. One very horrible one was the Shah Najaf. The great pile of bodies had been decently covered over before the photographer could take them, but he insisted on having them uncovered to be photographed before they were finally disposed of.

There was a matter very characteristic of Outram's extreme good-nature but rather embarrassing to me. The Punjaubees in the Lucknow regiments had remained faithful in the Baillie Guard for some months, till, after the failure of several attempts at relief, when things seemed to be going very badly with us, and then discreet men as they were, they found it expedient to get over the wall and desert to the enemy. When it turned out that the British army beat the rebels after all, and we occupied Lucknow, these men were in a difficulty; but they knew Outram and had got the measure of his foot. They coolly came in to him,

assured him that they had acted under an entire mistake and misapprehension, and begged that between friends nothing more might be said about it. He had not the heart to hang them; but, not liking absolutely to restore them to the army, he took it into his head to make them over to me, and suggested that I might utilise them as a kind of body-guard. I could not refuse to do as he wished, the more as I was myself in heart almost a Punjaubee; so I took them, and did actually have them as my personal escort and guard for some months. I was in no degree afraid of any perfidy, now that our star was uppermost, but their leader (Ram Sing I think was his name) was a long-tongued intriguing kind of man that I did not much care for. They began to affect confidential airs and the character of trusted servants, lording it over others in a way I did not like, so after a time, I had them paid up, and bundled off to their homes—about 150 of them there were I think.

In the course of a few days things quieted down—the bodies got buried out of the way—the troops got into quarters, and though the enemy were not far off, Lucknow itself seemed pretty secure. Then I managed to get my wife to join me, though I had much difficulty about it, and her presence was rather connived at than sanctioned. There was an order—a very sensible one I think—that ladies were not permitted to come up country at that time. But then my wife had not come up, but was one of the rescued ladies from above; and though I had taken her to Allahabad, I maintained that she was outside the rule. I got Lord Canning to say privately that I might get her up, subject to the risk of Sir Colin Campbell—he would not answer for him. Then General Grant was a friend of hers, and I squared the military authorities, except that I did not dare directly to approach Sir Colin. In the end I managed to get ready almost the only house that was still in a habitable state, and got my wife there about the middle of April. I never quite knew if Sir Colin winked at it or was really ignorant—he was good natured enough, and presently he went campaigning. For a long time my wife was literally

the only lady at Lucknow, but she got on very well there. Later in the season one other lady, the wife of an officer in the Royal Artillery, appeared, but it was very much later before there were any other ladies. I had not much troubled Sir Colin; I had no function to deal with him, and I was not very anxious to give him any more advice. But I saw a good deal of the other Generals and Staff-Officers, and was on very friendly terms with them. My great anxiety was to mitigate the severity of the "Prize Agents" in the city; their operations were continued for an unjustifiably long period, of which I much complained. They are a very doubtful blessing those prize agents. It seems in theory a very fair arrangement that, instead of promiscuous loot, what is fairly prize of war should be collected on common account; but I think it is very apt to happen that a place is looted first and drained by prize agents afterwards—that certainly was the case at Lucknow. Then if there is to be prize of war, I certainly think it should be distributed by Her Majesty's advisers according to merit—and not by technical rules of quasi-law, as in the case of the Kirwee prize and other instances both military and naval. Outram was almost too good natured and too ready to believe in and promote all those about him. Somewhat to his disgust, some of his recommendations were not accepted by the Government. A very good officer, a friend of mine, was recommended for the Commissionership of the Lucknow Division, and the telegram came back "Recommendation approved," but when the copy came by post it turned out that the word "not" had been omitted in transmission—it was "not approved," which placed my friend in a very awkward position. The result was that I took charge of the Lucknow Commissionership for a time, in addition to other functions; and indeed we then possessed so little territory that I could very well look after it all. I had as it were the rough-hewing of Lucknow into its new shape. Napier (he of Magdala) with his magnificent engineering ideas, laid out one or two great avenues right through the city as a means of future approach in case of difficulty, and thereby

really effected a great improvement, though at a great expense of native houses and demolitions, which I should not have had the heart to carry out. An outlying bazaar, too, was cleared away on military grounds. A Nawab who had a house, much battered in the siege, and a large garden, one day put in a petition, intimating his great disgust with the present state of things, and saying that he was going off to the Arabian shrines, and he begged to present us with his ruined house and garden. I am afraid it was rather sharp practice, but I took him at his word. I made considerable clearances; those grounds and the site of the bazaar above-mentioned are now the Wingfield Gardens, which were laid out later on ground which I had prepared.

In the city my great object was to staunch the wounds. Following Napier's demolitions, I tried to patch up and restore the broken ends, to clear and restore the streets, and make some minor improvements both in the city and the surroundings. I did my best to rehabilitate the inhabitants, to restore confidence and trade, and to give work to those that needed it. The members of the Royal family, whom we released from duress at the hands of the rebels, were made over to my care. I remember, in particular, one very handsome boy—a nephew of the King, whom I protected. He grew up and lives in Calcutta, and I occasionally hear from him still. I had much sympathy with the Mahomedan classes who had been attached to, or in various ways lived by, the Court, and who suffered terribly in those days. Many of them may have been pretty worthless, but there were also many very decent artisans and others among them; and quite deprived of their livelihood, their situation was very pitiful.

But I am anticipating; I should have said that it turned out that Outram was not to remain. He had been appointed a member of the Governor-General's Council. Perhaps that need not have interfered with his remaining for a time to settle the Province, possibly combining civil and military command; but I fancy that the friction between him and Lord Canning about the land question

stood in the way of any such arrangement: so he was relieved early in April. Mr. Montgomery, the Judicial Commissioner of the Punjaub, was appointed to succeed him. Although my position with a civilian Chief Commissioner would not be quite the same as with Outram, I had no feeling other than satisfaction that Montgomery should be his successor. I could hardly have expected to get another step immediately. Montgomery was a very long way senior to me—some years senior to Sir John Lawrence, in fact—and he had been my superior in the judicial department when I was in the Cis-Sutlej. He was always a most pleasant man, whom every one liked, and under an unimposing and good-natured exterior (Mr. Pickwick he used to be called) concealed a great deal of practical ability and courage. He was a sanguine man, upon whom care never rested. Though he had worked with Lawrence, he was not specially of his school; in truth, he was not of any school, he was the least doctrinaire of men, but rather a born diplomatist of great tact and temper. There could be no better man to carry out a special policy resolved upon. It soon appeared that he had not only a mission to settle the Oude difficulties by diplomacy, but also in regard to the land there was soon prescribed to him a policy with which I could not altogether sympathise. I could have taken no objection to offering liberal terms to the Talookdars, consistent with justice to others—it was undoubtedly a very great object to settle the country, and I had always viewed the conduct of these men leniently—but it presently turned out that a great deal more than that was to be done. A great many ideas were changed by the Mutiny, and one very important change was a reaction in favour of an aristocratic system, especially in regard to land tenure. After a time it was avowed that the Talookdars were not only to be brought in by leniency and the restoration of what they had sacrificed by rebellion, but the pre-mutiny settlement was declared to be wrong, and they were to be offered, not only what they had when they rebelled, but a great deal more as a sequence of rebellion. Things went on

of which I could not wholly approve, and which eventually led to great complications in the future judicial determination of rights. However, as long as Montgomery reigned, though I might advise and warn a little on this subject, nothing that then seemed of a very extreme character was done. I was on excellent terms with Montgomery personally, and he very freely committed to me most other functions. But as the land policy adopted led in the future to extreme consequences, which I think no one then anticipated, I had better here explain how it came about. In the *Systems of Land Tenure* published by the Cobden Club, the "Tenure of Land in India" is by me, and in that article I have given a brief account of what happened in Oude. But I revert to the subject here in connection with my personal experience.

There had always been two schools in India in regard to the land—that which upheld the claims of the aristocrats, and that which maintained the claims of the people. I do not think the indigenous languages contain any words to express a *landlord* title, or even private property in land. The only distinction is between the governors and the governed, and the only indisputable property was that of the stronger village communities which could hold their own against all comers. But in the decadence of the Mogul Empire, middlemen of various kinds had in many places made their offices more or less hereditary under Persian and Arabic titles. The Persian term "Zemindar" was very variously applied in various parts of India. In Bengal, as is known, it was applied to the larger holders, while the Arabic term "Talookdar" was applied to a smaller class of middlemen under them; "Talook" meaning simply a division, whether of a kingdom, or province, or estate. In Oude, on the other hand, the Talookdars were the large men, the holders of divisions of the Province, while the term Zemindars was applied to the inferior village landholders. The Zemindars of Bengal and Talookdars of Oude are then absolutely identical in position. When we took

over half of Oude and formed the North-West Provinces in the beginning of the century, the disposition to deal with superior holders was very much on the wane. There were a good many such people in the new provinces, but their claims were judged strictly and not at all generally admitted. The land settlement was generally made with the head-men or privileged ruling families of individual villages. Saadut Ali, the then Nawab-Vizier of Oude, was a pretty strong man, and having lost half his territory, wanted to make the most of what remained to him; so he, too, in native Oude, followed a similar policy and suppressed most of the middlemen. Hence it is that comparatively few of the Oude Talookdars are of old date. A few of the older families and chiefs of clans survived Saadut Ali's reforms, but most of the modern Talookdars are very modern indeed, having sprung up under the weak rule of Saadut Ali's successors — recent collectors and farmers of the revenue, Court favourites, and so on. A typical instance is the family of the most notable of the Talookdars, Maharajah Man Sing, whom it was at one time the fashion to call "Chief of the Barons" of Oude. His uncle, a native of the British provinces and a Brahmin by caste, was a trooper in one of the Company's regiments of regular cavalry which was quartered at Lucknow. There he left the British service and entered that of the King as a personal attendant, and rose to confidential office at the Palace as Keeper of the Door. He introduced his brother, the father of the Maharajah, who obtained a small revenue appointment, and thence rose higher and higher till he had the control of a large territory, which he managed to transmit to his sons. The eldest son was notorious for having ruined by tyranny the districts in his charge, and was prudently placed in the background, while at the time of annexation the family was represented by the youngest son, the Man Sing above-mentioned, an extremely clever man, thoroughly versed in political affairs.

The later kings of Oude were weak in the extreme, especially the last, the Talookdars got thoroughly out of

hand, and a great degree of anarchy and misgovernment prevailed. Mud-forts were the fashion of the country, and when the Government demanded the revenue, the landholders shut themselves up in their forts while they bargained about it. Latterly it became a sort of point of honour not to pay till a few guns had been fired—the Government collector went about with a battery of artillery, and some powder was expended before the revenue was paid. Our people at Cawnpore used constantly to hear heavy firing on the other side of the river, but were told that it was only the Oude revenue being collected. Under this system there was an entire absence of protection for the ryots—and they had a very bad time. Not only was there constant dissension between the Government and the Talookdars, but there were constant quarrels between the rival claimants to Talookdarees, who each demanded revenue from the ryots, and harried them in succession. Things were going from bad to worse, and the interference of the British Government became imminent. The Government sent the well-known General Sleeman, then Resident, on a tour round the provinces, and he reported upon it. His report showed the weakness of the Government, but still more, the hopeless misconduct of the Talookdars. At length, in spite of Lord Dalhousie's doubts of the good faith of the proceeding, Oude was annexed by orders from home the year before the Mutiny. Seeing that the measure was principally caused by the misconduct of the Talookdars, and that the separate village settlement was the prevalent system in our surrounding territories, it is not surprising that the orders issued upon annexation were little favourable to the Talookdaree system. In the orders issued for the administration of the province on 4th February 1856, the following were the fundamental instructions for the settlement of the land.

"The summary settlement should be made village by village, with the parties actually in possession, but without any recognition of their proprietary right. The desire and intention of the Government is to deal with the actual occupants of the soil, that is, with village Zemindars, or with

the proprietary coparcenaries which are believed to exist in Oude, and not to suffer the interposition of middlemen as Talookdars, farmers of the revenue, and such like. The claims of these—if they have any tenable claims—may be brought judicially before the Courts competent to investigate and decide upon them."

No doubt these instructions might have been taken to justify a large dispossession of the Talookdars, and as regards any rights they might have it distinctly threw upon them the onus of proof. Now where there is no law, it is very difficult to prove a legal right. Property in land in our sense being almost new to the natives, a man who has got to prove that such property existed in native times has great difficulty in doing so. The onus of proof makes all the difference, and that being thrown on the Talookdars, most of them would have had very great difficulty in making decent titles, just as when the onus was afterwards thrown on the inferior holders, they failed in sufficient proof. The anarchy and change which had for some time prevailed in Oude made any such proof especially difficult. But when Oude was annexed, and it was necessary to make a "summary settlement," in a rapid way, it was hardly possible to avoid doing what we have always done under such circumstances—viz. to respect actual possession. Strong coparcenary villages were comparatively few in Oude, and the weaker villages had been very much harassed. Many of them, as in Europe, had accepted the protection of strong chiefs—some of the Talookdars acquainted with our system had bought up nominal rights for a song, or pretended that they had done so. They were strong in men and guns, and altogether in very much of the country they were really in possession as rulers if not as landlords. And so it happened that, where very strongly pronounced rights of the inferior holders were not found or were not put forward, the settlement was made with the Talookdars, and they really lost comparatively little—in some districts not at all. Still there was a good deal of variety in their treatment in different districts; the Oude administration under General

Outram's *locum tenens* was not a very happy family, and there was a good deal of disputation about it.

When the Mutiny broke out the Talookdars were still in possession of most of their estates, of their men and forts and some of their guns. They did not themselves look on their grievances in so very acute a light as that in which some of their friends have since painted them, and being rather civilised, and not really very war-like, with something to lose by a red rebellion, they did not very hastily rush into revolt, but were cautious, held aloof for some time, and generally protected our fugitives. It was not till the failure of the Havelock-Outram relief that they very generally joined the rebellion, and not till the retreat of the Commander-in-Chief in November that the whole mass of them became absolutely committed. When the tide of opinion turned in favour of aristocratic tenures, very many people, looking rather to the letter of the orders issued at annexation than to the practice, greatly exaggerated the extent to which the Talookdars had been dispossessed, and alleged that they had been treated with great injustice. Outram, who did not like the way things had been managed in his absence, asserted this, and other high authorities assumed the same thing. I will shortly quote a letter from Lord Canning, which I think very clearly shows how much exaggeration there was in this.

The famous confiscation proclamation which Lord Canning sent to Outram on 3rd March 1858, to be issued as soon as Lucknow was taken, and which he put into my hands, was to this effect. The inhabitants of Oude, the Talookdars, chiefs and landholders and their followers were declared to have been guilty of a great crime, and to have subjected themselves to just retribution. Half a dozen were mentioned who had been steadfast in their allegiance, and they were to be restored and rewarded. Then it went on—"The Governor-General further proclaims that with the above-mentioned exceptions, the proprietary right in the soil of the province is confiscated to the British Government, who will dispose of that right in such manner as to it

may seem fitting. To those who shall make immediate submission the Governor-General promises that their lives and honour shall be safe, provided that their hands are not stained with English blood treacherously shed. As regards any further indulgence, and the condition in which they may hereafter be placed, they must throw themselves on the consideration and mercy of the British Government."

I was taken quite by surprise when Lord Canning put this paper into my hand and asked what I thought of it. I did not at all like it, and said so; and I got him to admit that it was perhaps somewhat unfortunately worded. The advice which I ventured to tender was that it would be better to avoid the appearance of extreme severity on the one hand, and the extreme of concession to those who had rebelled on the other—to assure the Talookdars that byegones should be byegones, that their property and reasonable claims should be respected, and that the whole question of landed rights should be again considered. But I think the proclamation had been already despatched. Lord Canning explained that he did not really mean finally to confiscate all rights, but to get rid of all the engagements into which we had entered after annexation, and to obtain a *tabula rasa* which would enable him to restore those who deserved restoration and to redress all alleged injustice on condition of full and complete allegiance. Outram remonstrated very strongly, and urged for "such landholders as have not been accomplices in the murder of Europeans the restoration of their ancient possessions, subject to such restrictions as will protect their dependents from oppression." But the Governor-General would only go so far as to add an additional paragraph to the proclamation as follows:—"To those who shall promptly come forward and give the Chief Commissioner their support in the restoration of peace and order, this indulgence will be large, and the Governor-General will be ready to view liberally the claims which they may thus acquire to a restitution of their former rights." It is impossible to say exactly what was in Lord Canning's mind when he issued

that proclamation. I never found any one to admit any share in advising or concocting it, and I believe it was all his own. I think it was in his own handwriting when he showed it me. He made it quite clear to me that his main idea was to have a "free hand," and do as might be deemed best without being bound by anything that had been done in the year previous to the rebellion. At the same time he certainly took a severe view of the conduct of the Talookdars, and meant the confiscation to be a reality, subject to remission where it might be afterwards deemed expedient. He was emphatic that there should be no compromise with the rebels, and no remission of the penalty till after unconditional submission and good conduct. His fully-considered view was set forth in the letter of 31st March, three weeks after the terms of the proclamation had been finally settled, and after he had considered the remonstrances of Outram and myself. In that letter, addressed by the Secretary to Government with the Governor-General to the Chief Commissioner of Oude, the following passages occur:—"The Governor-General considers that the course taken is one consistent with the dignity of the Government, and abundantly lenient. To have followed that which is suggested by you would, in his lordship's opinion, have been to treat the rebels not only as honourable enemies, but as enemies who had won the day. You observe indeed that the landholders were most unjustly treated under our settlement. If this were unreservedly the case, the Governor-General would have been ready at the risk of any misinterpretation of the motives of the Government to reinstate the Talookdars in their old possessions. But it is not so. The lands and villages taken from the Talookdars had for the most part been usurped by them through fraud and violence. That unjust decisions were come to by some of our local officers is, the Governor-General fears, too true, but the proper way of rectifying such injustice is by a rehearing where complaint is made. This is the course which the Government is prepared to adopt and carry out in a liberal and conciliatory spirit. That the hostility of the

Talookdars of Oude, who have been most active against the British Government, has been provoked by the injustice with which they have been treated, would seem to be your opinion. But I am to observe that there are some facts which deserve to be weighed before pronouncing that this is the case. No chiefs have been more open in their rebellion than the Rajahs of Churda, Bhinga, and Gonda. The Governor-General believes that the first of these did not lose a single village, and certainly his assessment was materially reduced. The second was dealt with in a like liberal manner. The Rajah of Gonda lost about 30 villages out of 400, but his assessment was lowered by some 10,000 rupees. No one was more benefited by the change of government than the Rajah of Nanpara—his estates had been the object of a civil war for three years. He was at once recognised as sole proprietor by the British Government. His troops have been fighting against us at Lucknow from the beginning." Then after instancing one or two more similar cases the letter goes on:—"It is clear that injustice at the hands of the British Government has not been the cause of the hostility which, in these instances at least, has been displayed towards our rule. The moving spirit of these men, and of others among the chiefs of Oude, is to be looked for elsewhere, and in the opinion of the Governor-General it is to be found mainly in the repugnance which they feel to suffer any restraint of their hitherto arbitrary powers over those about them. The penalty of confiscation of property is no more than a just one in such cases; and although considerations of policy and mercy, and the newness of our rule, prescribe a relaxation of the sentence more or less large according to the features of each case, this relaxation must be preceded by submission." The proclamation was accordingly issued after the final capture of Lucknow. Outram thought that it had spoiled the prospect of getting the Talookdars in after that event. He said that it was his firm conviction that "as soon as the Chiefs and Talookdars became acquainted with the determination of the Government to

confiscate their rights, they will betake themselves at once to their domains, and prepare for a desperate and prolonged resistance." To a great extent this was so. At first, through Man Sing, some of the Chiefs accepted overtures to come in, and many negotiated on the subject; but soon after they got suspicious and went back. It was not till Outram's successor offered to them all that he had proposed, and in practice gave them a good deal more, that they came in.

As time passed, the Government became more and more anxious to obtain a settlement: and not less the Commander-in-Chief, who pressed exceedingly to have something done. Certainly it must be greatly put to Sir Colin's credit that he was always most genuinely and unaffectedly anxious for the welfare of his soldiers, and very keen to save them from exposure and suffering. It was no doubt in this view that, like many of the truest soldiers, he did not want to fight when fighting could be avoided. The pendulum of opinion, too, had swung very far, and the views in favour of an aristocratic policy were very prevalent. I do not find a distinct order of the Government for the general restoration of the Talookdars and what is called a "Talookdaree settlement," till the beginning of October, but in the meantime the local officers had been very freely offering what I may call the Outram terms to men still in rebellion, if only they would come in. In short, we were doing exactly what Lord Canning a short time before had said we must not do. I doubt if all this is now to be found precisely recorded in Blue Books, but I know it to have been the case. Outram, as a member of the Governor-General's Council, asserts it to be so. In a minute of 17th August 1858, he says that the only instances in which Chiefs and Talookdars had attended to the summons addressed to them was where they had received personal assurances by letter of all that they had possessed, that Mr. Montgomery had followed this course, and that all who had submitted were induced to do so by such letters. The principal agent under Mr. Montgomery in dealing with

the Talookdars in this matter was Major Barrow, a most excellent man, and an old friend of mine. But his knowledge of the country was limited, as was also his civil experience. He was an officer of Madras cavalry who had served on the Oude Commission for a short time before the Mutiny, and had then been a zealous supporter of the Talookdars. He was appointed Special Commissioner for dealing with the Talookdars, and knowing how much his superiors, civil and military, desired a settlement, he was most honestly zealous in pressing liberal terms upon the rebel leaders. The principal difficulty really was that the terms offered to them seemed so incredibly good, especially coming after the proclaimed confiscation, that they could not believe them—they were suspicious that this was only a bait to bring them in, and that by some technical pretext of some kind they would afterwards be deprived. Thus there was considerable delay; but eventually, just as diplomacy did the work of the military, so also, when columns began to move, and the cold weather to approach, the great military force assisted diplomacy, and the Talookdars gradually came in. Barrow was so keen to get them at almost any price, that with the best intentions there was too little sifting of claims. It almost came to this, that every man who came in was allowed to make his own list of the possessions to which he had a claim, and got an assurance of them at once. This was felt by all our officers at the time to be carried quite too far. There is no doubt that, in some cases at any rate, men who came in obtained properties to which they had no right, and much embarrassment and difficulty afterwards ensued in regard to the pledge of British faith in such cases. There was a feeling, too, that there was some loss of British dignity, when terms were made with rebels holding out against the strong forces we then commanded. That was very much felt in the case of a very important chief, the Rajah of Amethee, Lall Madho, one of the principal Talookdars. He really was a sort of Chief of a Rajpoot clan, one which supplied very many Sepoys to our army; but he had been

much more in the position of a feudal chief than a landlord; his own particular estate was not very large, the rest was held by his feudatories and clansmen. Only of very recent years, by the aid of armed followers, he had made himself supreme over a large territory of some 800 villages by very questionable means. He had a considerable mud-fort, against which the Commander-in-Chief advanced in person in the autumn, and the formidable character of which His Excellency very greatly exaggerated. So terms were made. Lall Madho received a guarantee of the whole of his possessions, well or ill gotten, and on that guarantee he came in. The military historians said that he surrendered to the Commander-in-Chief, but, in truth, we rather surrendered to his terms than he to ours.

In all these cases I think it was then understood that what was restored was the tenure before annexation, and that with the superior tenures the claims of the inferior holders would also revive and be maintained and protected. That was Outram's original proposal. I think it was also Montgomery's intention. And I myself appealed to Lord Canning personally to preserve subordinate rights, and understood that he accepted that view.

On 6th October 1858, when there was sanguine hope that the country was being recovered, or soon would be, Lord Canning issued to the Chief Commissioner formal orders for dealing with it; and on the subject of the tenure of land those orders were as follows: "Recent events have very much shaken the Governor-General's faith in the stability of the village system. The holders of villages acknowledged the suzerainty of the Talookdars as soon as our authority was subverted. Their conduct amounts almost to an admission that their own rights, whatever these may be, are subordinate to those of the Talookdar, that they do not value the recognition of those rights by the ruling authority, and that the Talookdaree system is the ancient, indigenous, and cherished system of the country. In Oude, village occupancy independent and free from subordination to the Talookdars has been unknown. Our

endeavour to better the village occupants in Oude has not been appreciated by them. If they had valued their restored rights, they would have shown some signs of a willingness to support the Government which revived those rights; but they have done nothing of the kind. The Governor-General is therefore of opinion that these village occupants deserve little consideration from us. On these grounds, as well as because the Talookdars, if they will, can materially assist in the re-establishment of our authority, the Governor-General has determined that a Talookdaree settlement shall be made. His Lordship desires that it may be so framed as to secure the village occupants from extortion, that the Talookdars should on no account be invested with any police authority, and that the tenure should be declared to be contingent on a certain specified service to be rendered. The Talookdars may then be legitimately expected to aid the authorities of the Government, and they may be required, under penalties, to undertake all the duties and responsibilities which properly appertain to landholders. These duties and responsibilities should be rigidly exacted and enforced. With the declaration of these general principles, the Governor-General leaves the elaboration of the details to your judgment."

It is evident that the premises upon which this decision was founded were very much in contrast to the views which his Lordship had set forth six months before, in the letter of 31st March. But at any rate there was shown a desire to control the superior holders and protect those beneath them. The provision for the protection of village occupants was rather vague, but was afterwards much more precisely defined.

Apart from the contrast between the wicked Talookdars depicted in March, who owed their possessions to force and fraud, and the ancient institution cherished of the people depicted in October, the argument about the conduct of the village occupants does, I think, a little savour of special pleading. Knowing the character and general conduct of the native population when the powers above them are

making war,—seeing how little we had really done for the village occupants, as Lord Canning had himself shown, and how much the Talookdars were still left in power,—seeing, too, how much the Sepoy element prevailed in Oude, and how full the country was of Sepoy regiments, it is almost absurd to suppose that the village occupants should have taken upon themselves to come forward and fight for us at a time when our power was entirely gone. On the merits of the question between a settlement with large Zemindars, and dealing direct with the villages, much might no doubt be said—it was a very old controversy, and I do not enter upon it. But I do say that the change of 1856 and 1858, and indeed I may say between March and October 1858, was simply that the pendulum of opinion had swung—there was a change of opinion, but no change in the facts. However, it remains that from this time the Talookdars got not only justice, but a great deal more, and before long became a sort of pets and protégés of the Government. According to Major Barrow's instructions two or three months later, "The primary condition of all land tenures in Oude was the recognition of the superior right of Talookdars." And he went on to say that the recognition of rights which had already taken place was to be considered final and lasting, and not liable to be questioned in future in any shape whatever. "The rights are the free and incontestable grant from the paramount power, and cannot be called in question."

Still, while Mr. Montgomery's tenure as Chief Commissioner lasted, my impression was that no great injustice and no very particular harm had been done. Time heals all sores, and the political loss of dignity in compromise with the rebels would soon be forgotten. He really did find the Talookdars in possession, at the time of annexation, of most of the country, and we only somewhat extended the system. As before, we found it difficult to overcome facts, and just as in the first settlement, in spite of orders to deal with the villagers, the Talookdars for the most part held their own, so now, when the order was for a general Talookdaree

settlement, a great many villages were found in which the occupants had too strong claims; and a considerable though smaller portion of the Province remained exempt from the Talookdaree system. Where active rights really existed under the Talookdars, the orders issued by the Government of India preserved them. And where any such alleged rights were dormant, there is this to be said, that landlord rights on a small scale are little better founded than those on a large scale. Neither one nor the other really existed in India. At best, such alleged rights were mere claims to hereditary offices with certain perquisites or hereditary dues; and when, with our British ideas of the necessity of landlords, we searched for people to take that position, it was not of vital importance whether we took the large men or the smaller ones. The position of the body of cultivating occupiers of the soil is a much larger question, which had not then been raised. It was under Mr. Montgomery's successor that this and other questions assumed a much more acute form, but I will come to that presently. Before doing so I revert to my personal experiences in the first year at Lucknow.

We soon got pretty comfortably settled in our house at Lucknow. There was an immense garrison there, quartered in all sorts of places, and I told my friends at home that it was the safest place in India, although no doubt we were surrounded by rebels a little way off. After the Commander-in-Chief's departure, General Hope-Grant remained in command, and both Montgomery and he, being old friends, made it pleasant for us. My wife rode and drove a phaeton with a very nice pair of gray mares as far as it was safe to go. As the state of things improved and the communications opened, ladies began to appear, and both among the garrison and the people coming and going we had many friends. In those days we saw a good deal of Mr. W. H. Russell, the great correspondent. Personally he was very pleasant, but I warned my friends at home not to put too much trust in him, for, as I said, "he is the Commander-in-Chief's trumpeter." In fact, with all his simple *brusquerie*,

no one more studied the art of nobbling correspondents than Sir Colin. He was notorious for his civil approaches to Russell, even when he was at the head of his army. He would truckle to nobody else, but to the *Times* correspondent he was suave and communicative in the extreme.

We had so little territory that my functions as head of a department were extremely limited, but I did my best to lay the foundations of a good judicial system, and occupied myself with the very miscellaneous matters that were left to me. The staff for re-occupying the country was gradually got together. Colonel Saunders Abbott (the same who preceded me at Khytul and Ladwa a dozen years before) was appointed Commissioner of the Lucknow Division, and several other officers were posted to that district. But I was President of the Local Funds Committee, with a general superintendence over local and sanitary affairs. It seems now rather hard after what the prize agents had done, and I don't think it was my doing, but it was settled that penal taxes should be levied on the inhabitants of the city who could not clear themselves of abetting the rebellion, and those taxes were applied to municipal improvements. The question of forfeiture of the property of those who, by excessive misconduct or flight, had incurred a liability to such penalties, was also put in my hands, and a good many properties were attached; but when the owners came in and excused themselves, by far the greater part of them were released. A form of property which gave rise to very great complications, was the securities of the British Government held by the members of the Royal Family and other people in Lucknow, partly in the shape of ordinary Government stock (Government paper it was called in India) and partly in the shape of pensions guaranteed by the British Government. The kings and princes of Oude had both lent very largely to the British Government in the ordinary way, and had paid over large sums in trust to the Government, who undertook to pay annuities to their nominees, male and female. The events of the Mutiny caused great confusion with regard to these

securities. Some of the Government paper was seized and claimed by the prize agents; some was lost, and the owners claimed its replacement; some of the pensioners had behaved badly, and others were suspected of doing so. There were some scandals affecting British officers, who were accused of having bought Government paper cheap from terrified natives much in their power. Altogether, millions were involved in the inquiry into these matters.

There was a matter about which I occupied myself a good deal—viz., the protection of the very large European force from the evils of the drink traffic. I had been much struck in Calcutta by the painful scenes which I witnessed among the newly-arrived soldiers, and wished to prevent that at Lucknow. The Lucknow excise had yielded a considerable sum, but I thought it worth while to sacrifice that; and not believing in half-measures, after consulting the military authorities I came to the conclusion that it was best to take the bull by the horns and prohibit the sale of native liquors altogether. The Chief Commissioner and the Government of India consented, and the measure was carried out, the trade being totally prohibited in Lucknow and ten miles round. We had great difficulties in carrying the measure out—there always must be difficulties in a measure of that kind, when the prohibition is only local. The great trouble was with the cavalry grass-cutters, who used to smuggle skins of liquors inside the bundles of grass. But we did succeed in the main, and I was able to report at the end of the year, that in contrast to Calcutta, "in Lucknow, on the contrary, throughout the season I do not think that I have seen a drunken soldier."

In that year, before the new police arrangements which I will afterwards mention had come out, I tried to form a sort of model police in Lucknow, on the principles which I had already advocated. It was organised as a purely civil police under an officer of long experience, who had served under me in the Customs Department; but he was to act in immediate and complete subordination to the magistrate.

However, this was presently superseded by the new police system, so I need not dwell further on it.

From the first, precautions were taken against any excessive vengeance. All capital cases tried by any officers subordinate to me were referred to me for confirmation, and some I tried myself. We could not have done very much to punish mutiny and rebellion, as we held little but the town and environs till the latter part of the year; but, in fact, there never was much punishment of this kind. The report for 1858 shows a total of twenty-three persons executed in all. Seven of these were sentenced by Outram before the new civil administration was established. Of the rest, three were ordinary murderers, two were sentenced for complicity in the murder of Europeans escaping from Cawnpore, and the remainder were Sepoys. In all 128 persons were imprisoned, and a few flogged and fined. Only two important persons had been brought to trial up to that time. One of these cases attracted considerable attention—that of Rajah Lonee Sing, Talookdar of Mithowlee, who was accused of giving over to the mutineers some European ladies and gentlemen who had taken refuge with him. I tried the case myself. It appeared that for some time he had treated them quite well, and there was no reason to suppose that he ever was personally inclined to do otherwise. But the rebels persistently demanded their surrender—a *de facto* rebel government was established at Lucknow—and after holding out some time he gave them up, not to immediate death, for they were not put to death at that time, but to the custody of the rebel government, who retained them. In the end some of the party were put to death, and others were rescued on the capture of Lucknow. I had grave doubts whether Lonee Sing could be considered an accessory to the murder, as he had acted so much under duress. But he had certainly been in active rebellion; it was necessary to make an example of those who were at all connected with the European murders; the law I administered was very much what I chose to make it; and the Government as prosecutors pressed very

much for a conviction. As I have said before, Lord Canning always took a more severe view of civil rebels than I did, though he was so lenient to Sepoys. I could not hang the man, but I sentenced him to imprisonment for life, thinking that sentence would serve for an example, and would admit of mitigation hereafter if that was thought proper. The Government, however, were very much dissatisfied. In the end they took a course which I thought a very serious enhancement of the sentence, and an undue interference with my judicial discretion. There always had been a distinction between imprisonment and transportation, the latter being to natives a much more severe sentence. But the Government asserting a power vested in them to transfer prisoners from one jail to another, transferred Lonee Sing to the jail in the Andaman Islands, and he soon died there. It was the only positive official difference I had with Lord Canning, though I did differ a good deal in some other matters of policy.

On 1st November the Government of the Queen was proclaimed in India, but it really made very little difference one way or other beyond the form of the proclamation. We scarcely felt any change. It was accompanied, however, with a general amnesty going beyond that previously offered in Oude, inasmuch as that had expressly excluded Sepoys, but now a free pardon was offered to all Sepoys also, provided they came in by the 1st of January, with the usual reservation in regard to those concerned in murder or attacks on Europeans. I will here anticipate so far as to finish the subject of punishment of political offenders or mutineers. In 1859 and 1860 we punished capitally a very few notable men whose hands were stained with European blood—two or three considerable Talookdars who had killed our fugitives, and a few other of the worst criminals, while a few more were sentenced to transportation or long terms of imprisonment. In all thirty-seven persons were so punished in the year 1859, and a few more in the following year. A certain number of large estates were also confiscated for misconduct. But on the Sepoys the retribution

was almost *nil*. They were either pardoned under the amnesty or allowed to come in at a later period, or never came in at all, and were lost sight of till the matter was forgotten. It is a curious fact, but distinctly recorded in my report, that in Oude not a single Sepoy was punished in the year 1859, though a very few were then under trial, and were punished in the following year. The rule originally laid down was that, while Sepoys who had simply mutinied were not to be molested, those who belonged to regiments which had murdered their officers, or were otherwise conspicuous, should be sent in for trial; but after all almost nothing came of this. Two Sepoy generals of the notorious Nusserabad brigade, and one or two other leaders, were put on their defence, but that prosecution was withdrawn under subsequent orders of Government desiring that the prisoners given up by the Nepaulese should be prosecuted only for murder. The men most deeply implicated in the massacres naturally kept out of the way till some months later, when our ardour for prosecuting them was somewhat cooled down. Then it was found almost impossible to bring home to any individual Sepoys by any tangible proof the massacre of their officers and other Europeans when they broke out at the Mutiny. There was abundant evidence that particular bodies of Sepoys, particular brigades, regiments, or companies had committed these crimes, but to individualise the particular perpetrators was difficult in the extreme. It was the policy of the Government to give the fullest scope to the amnesty, and to do everything possible towards settling matters down by an indulgent construction. A comparatively small number of the men of the worst regiments were detained for a time, and attempts were made to discover the most guilty among them through an officer of the Thuggee and Dacoity department, using the approver system and otherwise, but with very little success. The consequence was that justice was only done upon a very few men who were convicted of specific crimes apart from the general massacres. One or two with a quiet fatalism confessed, and a few were con-

victed on independent evidence, perhaps a dozen altogether—the reports are rather scattered. I punished late in the day a few very belated men who had failed to come in to the very last, and were hunted up in Nepaul. After 1858 it had ceased to be my duty to direct the police, and it was not for me to decide who were to be prosecuted, but only to decide on their guilt if prosecuted. I did, however, in my periodical reports, repeatedly lament the failure to bring the most guilty Sepoys to justice. I have no exact information as regards other provinces, but I apprehend that there also after the Mutiny was ended, little execution was done upon the Sepoys. There can be no doubt that so far as proper judicial punishments are concerned, the greatest crimes of the Mutiny—the wholesale massacres, were never adequately punished, and that many a quiet inoffensive villager lived for years, and may be living now, whose hands were imbrued in the blood of his officers, and of inoffensive European residents, when he was a Sepoy in former days. Still he was not likely to boast of it. In people's memories things after a time are looked at wholesale rather than in detail; probably the things that were done are now remembered as the vengeance for crime, even if the people who suffered were not quite the right men. In this sense one is somewhat reconciled to the sort of official lynch-law which was exercised upon Sepoys at some stages of the Mutiny, when they were put to death in a somewhat indiscriminating way. In the parts of India where the Punjaub administration held sway a great many Sepoys were thus punished. In those parts where the Calcutta policy prevailed, a good many Sepoys were no doubt at one period put to death in various way, but I think that there the indiscriminate punishments fell more on the civil population than on the Sepoys. However, at this distance of time I do not now at all regret that they were allowed to settle down after armed resistance had ceased. The Mutiny must always be a time of horror to which I do not think that either party can ever look back with any feeling other than that one way and another great crimes were attended with a great

deal of retribution. At the end of the year 1858, when the country was coming into our undisputed possession, the Chief Commissioner asked me to make a tour of the Province to settle stations and buildings, and organise the civil administration, and accordingly I marched through the south and east of Oude, returning to Lucknow at the end of January 1859. I kept a sort of official diary on that tour. I need not reproduce details, but I will quote one or two passages, showing the state of Oude at that time. What most struck me in the first instance was the extreme quietness of the country so immediately after the active war had ceased. Of course I knew very well that it was nonsense when some ignorant people at a distance talked as if Oude was a kind of second Afghanistan, with a warlike, independent, combative population; nor did I much expect a Sepoy guerilla war. I had already noticed how readily the people of our older provinces received us; but then we had ruled them for upwards of fifty years, and I hardly expected that it would be quite the same in Oude, which we had held for only one year, and where we had then but half introduced our administration. Especially in the districts where the Sepoys so much prevailed, I thought it possible there might be some trouble. But it was not so. A few days after leaving Lucknow I say in my diary: "It is very remarkable, after all that has passed, how little is to be seen of the ravages of the war when once we leave the main road. Riding into the heart of Baiswarah, where so lately Banee Madho defied the Government, and the cradle of the Sepoy army, I was much struck by the exceeding quietness and peacefulness of the scene. The cultivation seems to be fully kept up. In the villages there was not only no appearance of panic, but no flurry or excitement of any kind. People strolled about and received us as coolly as if they had been accustomed to British rule all their lives, and nothing particular had happened. The Rajput Putteedars, the fathers and brothers of Sepoys, talked of the tyranny of the 'Nawabee,' and the blessings of our rule, as if they never doubted

that I should think them sincere. No signs of Sepoys to be seen."

Two or three days later I say, "In these marches I remarked a good many men about the villages who had evidently been Sepoys, and made a military kind of salute. All those who have leave certificates or anything of that kind to cover them appear readily enough. I have been unable to obtain any very precise or satisfactory information as to the proportion of Sepoys who have returned home. All agree that a great many have come, and that others have not come. But I cannot get anything more definite than this, nor any opinion where are those who have not come." A little later I say again: "After much inquiry I am satisfied that the mass of the mutineer Sepoys have not yet returned to their homes, and it is very difficult to find what has become of them. I believe that a good many are skulking about the houses of fathers-in-law, etc., where they are not so well known as in their own homes, and a great many have gone beyond the Gogra, and must be about the forests and lower hills there."

In another place I say: "The most common complaint of the villagers who talk to me on the road is that they had the settlement in the past year, and now that they have been deprived of it. When asked why they did not fight the Talookdars in the time of the rebellion, when they might have done service to the Government which had given them Zemindaree rights, they only answered that they could do nothing against powerful men. I understand that almost the whole of the local landlords of these parts are now at home cultivating the arts of peace. Banee Madho and Ram Gholam Sing seem to be almost the only absentees. The demeanour of the people leaves nothing to be desired. They come out to meet us at every village, show us the way readily, and answer questions promptly."

The Talookdars met me freely, and I liked most of those that I saw. The fact is they had had a kind of double character. They were Oude Talookdars at home, but also, surrounded by our territories, they often visited

Benares, Cawnpore, and other places, mixed with our subjects, and became quite accustomed to our ways. I mention a good many at different places as favourable specimens. Then I find this entry:—"At Roy Bareilly I saw the Amethee Rajah. He seems quite intelligent, and I have no doubt well knows what he is about. But I did not much like his style. He has grown long locks of hair, and tries to keep on his shoes when visiting us. He says that he wishes to go off to Benares for a time. My own opinion decidedly is that men in his position should not be allowed thus to shirk their responsibilities, and that the Rajah does not hold eight hundred villages without obligation on his part. I think that in the present position of political affairs absenteeism should not be permitted. Most of the other Talookdars whom I have seen I have liked; but my impression is that the best style of men of that class are Thakoors holding some twenty or twenty-five villages. They are generally men of a fine manly stamp, and their estates are within manageable compass. The Baboo of Tekaree is a good specimen of a man of this class. Durbijey Sing, the head of the Bais clan, seems a fine well-disposed old gentleman. About Tekaree, I saw a fine specimen of the woods surrounding Oude forts. Though the proprietor is but a small Talookdar, and apparently a sensible well-disposed man, he had got up a tremendous jungle." It should be explained that this last refers to the practice of the Talookdars of surrounding their forts with a thick jungle, partly as a game preserve, but more as a cover in case of attack. I daresay our English parks may have had the same origin. These forts were no doubt awkward enough places to undisciplined forces, but inside they were very rough; the interior accommodation was wretched. The owners always wished to be free to fly when too hard pressed, and did not wish to leave anything valuable behind them.

I remarked on the very good appearance of the country, and the great sheets of cultivation. There was always a great deal of cultivated wood. Groves of mango-trees and

mohwa-trees, from the flower of which spirits are distilled, and which were so valuable that sometimes a tree was mortgaged. While the cultivation was very extensive, I remarked the absence of variety in the crops—"I am more than ever struck by the remarkable uniformity of the great plains of wheat, barley, and peas, with an occasional field of carrots, linseed, or cotton, but very little else. Persian wheels are unknown. I have observed in a good many places wells worked for irrigation by gangs of women instead of bullocks. The villages are smaller than up-country villages, but the tiled houses which here prevail appear better than the thatched or flat-roofed houses prevailing in other parts of the country. The rent rates prevailing seem high for mere grain crops. The want of means of transport is very remarkable. Though the soil is decidedly favourable for native roads, there are none whatever, not even the cart-tracks so common elsewhere. Indeed there are scarcely any carts, and none whatever fit for mercantile purposes. I am told that, before the Mutiny, there were not fifty carts in all southern Oude. The traffic was all carried on by Brinjarah-bullocks, ponies, and coolies. Under the native Government there seems to have been a general unwillingness to invest in tangible property of any kind, and all parties made their arrangements for a peripatetic life when necessary. The Nazims and Chuckladars[1] generally had no fixed abodes, but went about from the estate of one refractory Talookdar to another; and the Talookdars, while they made their forts as strong as possible, invested as little as they could in buildings, so that they might be able to evacuate them when necessary. So, also, the cultivators seem to have objected to grow sugar because it was so tempting a crop to distrain, and especially because sugar mills required some little capital, and were certain to be seized on the first occasion of an unsatisfied demand against the village. The ordinary grain cultivation is, however, carried on to as great an extent as in any part

[1] Nazims and Chuckladars were the superior and subordinate governors of the country under the king's *régime* in Oude.

of India. The population is large, and there seems to be little available land uncultivated. I think it is rather by the introduction of more valuable products that the agriculture may be enriched, and by the making of roads for transport. I know no country in Hindoostan where the facilities for roads are greater. There is abundance of kunkur (the metal used for roads) throughout the whole of the tracts which I have yet visited, so that metal roads may be made with the utmost economy." While at the station of Sultanpore I remarked, "There was in this neighbourhood a considerable population of 'Khanzadahs' or Mahomedan Rajpoots, and they seem to have behaved very ill during the rebellion. Most of them have in consequence fled and deserted their lands. This is the only place where I have yet found such to be the case. It is singular that the Mahomedan Rajpoots seem generally to be a particularly troublesome set, worse than either ordinary Hindoos or Mahomedans. In Kurnal and Khytul it was the unruly cattle-lifting 'Rangurs' who caused uneasiness during the siege of Delhi. Here the position of Hassein Ali, the Rajah of Husseinpore, is very singular, since, though a Mahomedan, he seems to be considered in right of his descent the acknowledged head and chief of the Rajpoots of these parts. Even the Brahmin, Man Sing, is said to have insisted on receiving from him the 'Tilak' or investiture as a Rajah."

Speaking of my intercourse with the European officers at this and some other stations, I note that, "The great subject of discussion at district stations at present is the new system of military police. None of the old police officers have been retained, and many matters will have to be settled before the new men get into working order." When I got into the Fyzabad district I found a great improvement in the cultivation, and a richer country. There was a good deal of sugar-cane and many poppy fields, and near Fyzabad itself a large cultivation of potatoes, cauliflowers, and other vegetables grown by a very skilful class of cultivators. The people of Fyzabad seemed very civil and friendly, and the surroundings of the station were very

pleasant. I visited Ajoodia, the old Hindoo city. "Most of it is rather deserted and tumble-down, but a part of it is still thickly inhabited, and shrouded in magnificent trees. The Brahmins of the famous Hanooman-gurhee exhibited a particularly friendly demeanour. The present building is quite modern. The curious thing is that the most ornamental place in it, a large room or canopy of elaborately carved stone, has been altogether built and carved in the last eighteen months, during the war."

On the way between Fyzabad and Lucknow much the same features that I have already noticed seemed to prevail. There were a good many complaints of murders and serious crimes committed during the rebellion, but there appeared to be very little crime since the conclusion of the war. As regards the criminal cases which I looked into, I observed, "The thieves seem almost always to confess. This shows that the tendency to such simplicity, which has been remarked in new countries in other parts of India, is not peculiar to aboriginal races, but is found among Hindoostanees also. It gives rise to some sad reflections that the opposite character should be so much brought out in the people by our system."

I noticed that in Oude the Mahomedan institution of "Canoongoes," or keepers of law and titles, was very well maintained. No doubt the term comes from the Roman law. Canoon is, I suppose, the same word as the "Canon" of Canon-law.

On returning to Lucknow on this occasion, I sent in, along with a copy of my diary, a report on the revenue and finance matters which had been entrusted to me during the past year.

I have already mentioned the measures which I took to keep liquor from the European soldiers. The plan was rather the opposite to that followed in most British possessions, where it is generally held that the European Christian has a sacred right to his liquor, and it is only sought to withhold it from the natives if that can be done without too great a loss to the European vendor. In Oude I kept

it from the Europeans, but the old system stood as regards the natives. We reintroduced the system prevalent in the North-West Provinces and the Punjaub—that is, the right to sell liquor at certain shops in certain tracts was sold to contractors in open market, and we trusted very much to their interest and vigilance to keep down smuggling. The still-head duty on the quantity manufactured had not yet been attempted. The old system, prudently administered, was not so very bad, and had this merit that the monopoly profit came to the exchequer and did not go to private individuals. But no doubt the contract system might be very much abused if improperly worked for the sake of revenue only.

In parts of Oude there was a considerable production of raw opium, and it was at the time an object to the Government to obtain more of the drug under the Bengal monopoly system. In the absence of the special machinery existing in our older provinces, it was proposed that the district officers should be employed to purchase up raw opium in Oude and send it to the Government opium agencies. This I opposed ; I strongly objected to the employment of the administrative officers in this work. I suggested a doubt whether British public opinion might not some day insist on the abandonment of the Government dealing with opium (even through the semi-mercantile Government agents), and the substitution of a simple excise. At any rate, in the circumstances of Oude, I proposed to leave it to the cultivators themselves to take their opium over the border for sale to the British opium agents, if they chose, and only placed the local sale in Oude under the same restrictions as other intoxicating drugs. The Government accepted that view, and it was acted on. I had never any reason to suppose that the people of Oude had any particular predisposition to opium. Subsequent inquiries have convinced me that the tendency to that form of intoxicant is very much a matter of race ; that the Túranians, or at least the Indo-Chinese races, prefer opium, while the Aryans go for spirits. It was shown that

in the opium districts, where the cultivating population had great facilities for getting opium, they showed no disposition to use it in excess. In India, excess in opium is confined to the countries bordering on Indo-China and one or two special districts. I had no occasion to think that Lucknow was one of those places, and late statements regarding the prevalence of opium-smoking at Lucknow have quite taken me by surprise. I have no doubt whatever that, so far as the population of India are concerned, there is very much more danger from the drink traffic than from opium.

The salt question gave us a great deal of trouble in Oude. Salt was largely manufactured there—so much as to supply the whole of the population of Oude, and a good deal for smuggling beyond Oude. But the manufacture was comparatively expensive, and the quality very inferior. It only paid the people to make it because salt imported from other sources had to pay the very heavy British duty besides the great cost of transport. In Oude the manufacture was thus a kind of protected industry not beneficial to the people, and a great loss to the Indian revenue. Yet, the putting it down involved considerable difficulties — domiciliary visits, and a good deal of hardship to the people—for it was a sort of domestic manufacture. On account of my previous experience the matter was left in my hands for some time, and I got down an experienced customs officer and his staff. What I proposed in the first instance was, that the manufacture should be prohibited in all parts of the country except a limited tract specially suitable for it, and that that tract should be surrounded by a customs line where a duty should be levied about half of the rate levied in British districts. We should then see whether the Oude salt would bear a duty or the manufacture would die out of itself. The Government accepted my proposal. Gradually the local manufacture was put down in Oude, and the country came to be supplied with imported duty-paid salt like other parts of India—the more, as facilities of communication were gradually extended.

I made a calculation of the probable receipts and ex-

penditure to show the financial result of the annexation of Oude, resulting in something like an equilibrium; but the country is now so completely merged in the greater British territory that it would be hardly worth while to go back to that question.

Along with this report on revenue and finance, I sent in a memorandum of the land tenures of the country, resulting principally from what I had gathered in my tour, but I will mention that when I revert to the subsequent history of the land question.

Under the orders of the Government for the future administration, elaborated in the latter part of 1858, some changes were made in the official arrangements. It was definitely declared that the function of Financial Commissioner was united with that of Chief Commissioner, and from that time the Judicial Commissioner was relieved of these duties except by exceptional arrangement. The new system of police under military officers, and independent of the magistracy, was also placed under the Chief Commissioner, while the Judicial Commissioner was declared to be "charged not only with the exercise of judicial functions, but also with the duty of carrying into effect the system of judicial administration in both the civil and criminal departments, and also with the management of jails." As a judge, the Judicial Commissioner has all the powers of a High Court—his decision is final in matters of life and death and all criminal appeals; and in civil cases the only appeal is to H.M. Privy Council in England. The new administrative orders restored to some of the higher local officers the powers of Special Commissioners under the Mutiny Act, which would enable them to sentence to death without reference to me as heretofore. But the amnesty made this of little practical effect, and the Mutiny special powers were soon afterwards withdrawn altogether. I do not think that after my arrival in Oude any one was judicially executed without my warrant. A more lasting change was introduced at this time. On the ground of the absence of jails, and in deference to the then prevalent opinion, it

was decided to introduce for offences of the second order more summary methods, and especially corporal punishments. I shall have something to say of that later on.

In February 1859 another change was impending. It was known that Sir R. Montgomery was to succeed Sir John Lawrence as Lieutenant-Governor of the Punjaub, and the question was, who was to succeed to the Chief Commissionership of Oude. That was not then known; but when it came to be decided, I was not the man. I cannot say that this was a surprise to me, though in some sense it was a disappointment. If I had been in the same favour with the Government as in former days, no doubt I should have had the appointment. Before the Mutiny the flowing tide had been with me. I was distinctly in favour with Lord Dalhousie and his surroundings. During the Mutiny I had been brought into contact with Lord Canning, and I think he was not unkindly inclined towards me. But with the suppression of the Mutiny there had come a change, and currents of opinion prevailed with which I was not altogether in sympathy. And so it happened that, when the somewhat critical and confidential appointment of Chief Commissioner of Oude had to be filled, it was decided to bring in another man. The decision was probably under the circumstances not unreasonable. In those days there was, in fact, a turn in my fortunes, and I was destined for some years to wander in a kind of official desert. That happened to me which used pretty often to happen in India to men in some sort of disfavour, viz. to be made a judge. In my case, the cushion to which I was relegated was a pretty comfortable one. I held superior and well-paid judgeships, but still it was a kind of penalty. After all, if I had continued for all these years in anxious executive work I might have broken down as so many others have; as it was, I had for a considerable period of my life occupation but not excitement.

The burning question in Oude was the land question. I never should have desired an appointment which involved a departure from the principles which I had maintained,

nor one which would have led to my combating the Government which I served. But at this time I believed that my views were sufficiently in accord with the Government to enable me to do some good. I had never been what may be called a rabid Ryotwar or anti-aristocratic man—though an advocate for the interests of the masses; and I thought that the Government were sufficiently inclined to preserve subordinate rights under the Talookdars to enable me to give effect to that view. As a matter of fact the correspondence, which soon after ensued, shows the Government in the position of defending the rights of the inferior people against the somewhat extreme views of the new Chief Commissioner. I lay some stress upon this matter—not so much as affecting me personally, as because the event shows that the selection of a Chief Commissioner turned out to be a matter of some public importance, involving the decision one way or other of the future of an agricultural population of many millions—three or four times as large as that of Ireland. The matter in dispute also turned on much the same points as in Ireland, as will presently be seen. The new Chief Commissioner, Mr. Wingfield (since better known as Sir Charles Wingfield), turned out to be a strong advocate of the Talookdaree system, and of a relation between landlord and tenant founded on English principles of contract. The questions involved soon became somewhat hot, and a few years later much hotter still, so to avoid recurring to the subject I will here recapitulate the history of this Oude land question in its subsequent course.

In the memorandum which I submitted after my tour, in the last days of Sir R. Montgomery's reign, I said that which I have already stated, that I did not think the question between great and small landlords one of the most vital importance, and accepted the view that the requirements of justice would be sufficiently met by the guarding of under-proprietary rights in subordination to the Talookdars. But I said that from neither one nor the other could we expect the fulfilment of the function of English landlords in regard to improvements and the like, and there-

fore I was more anxious about the protection of the actual cultivators of the soil. I observed that, both in Bengal and in the North-West Provinces, rights of occupancy had been recognised, and expressed the hope that in Oude also there would be a well-defined recognition of such rights in favour of the class of settled and permanent cultivators; for, I said, "A man who holds certain fields at fixed or regulated rates may do what he likes with his land, and build wells, plant trees, etc., without additional taxation. It is by such small tenures I believe that most improvement of the land may be effected, while the landholder will have full scope for his energy in dealing with the land, either held by himself and his tenants at will, or unoccupied and capable of improvement." While accepting the policy which had been adopted with regard to proprietorship, I urged that we should not be too rigidly bound by the result of the very hasty record of possession made when the rebellion came to an end and the landholders came in. I said that it would be only reasonable, within a short period of limitation, to hear complaints and correct any very serious mistakes which might have been committed, and that I was sure that would lead to a more general content and the avoidance of many causes of offence. I also warned the Government of the difficulties which might result if the future tenures were too entirely founded upon new parchment grants from the Government (a sort of Parliamentary titles), as seemed to be proposed. If these were to supersede the old incidents of the tenure in regard to obligations, successions, and the like, and the claims of the different members of the same family, there might be much trouble.

No question was raised just at that time about the occupancy rights of the ryots—but the other questions suggested very soon led to a good deal of controversy. It was, however, the ryot question which at a later period led to by far the most bitter controversy of all.

The Chief Commissioner strongly desired that the titles of the Talookdars should be final and not open to question in any form whatever. In those days the practice had

arisen of trying to obviate the chance of any future change of policy by giving "sunnuds" or charters pledging the faith of the British Government for ever, and it was proposed to apply that method to the Talookdars by giving them such sunnuds. Still there was the pledge of the Government already given to secure the village occupants from extortion and maintain their rights, and the question as to the terms in which the sunnuds were to be drawn created considerable discussion. Mr. Wingfield desired to minimise subordinate rights, but Lord Canning's Government insisted that, while conceding to the Talookdars a permanent hereditary and transferable proprietary right, "this right is however subject to any measures which the Government may think proper to take for the purpose of protecting the inferior Zemindars and village occupants from extortion, and of upholding their rights in the soil in subordination to the Talookdars." Mr. Wingfield much urged the uncertainty and want of confidence which would be occasioned to the Talookdars if the village claimants had hopes of a re-hearing, and especially pleaded that in estates which had been penally confiscated and given to others, no claims to subordinate rights should be allowed;—but the Government were firm in insisting on the condition that the Talookdars should maintain all holding under them in all the rights they have heretofore enjoyed. Accordingly the sunnuds provided in a somewhat abbreviated form for the maintenance of all subordinate rights. The Secretary of State in Council on 24th April 1860 emphatically approved of this decision, saying, "You were quite right in rejecting at once the proposition that the under-tenures should be abandoned to the mercy of the Talookdars. The amount or proportion payable by the intermediate or subordinate holders will be fixed and recorded."

Still many questions arose regarding the terms and conditions of the subordinate holdings, the incidents of tenure which were to be accepted as constituting such rights, and especially the extent to which those who had been ousted by force and fraud might be restored. All this gave

rise to a protracted and controversial correspondence. It went on beyond my time in Oude and I did not follow it very exactly, but the general result seems to have been that in one shape or other the surviving sub-proprietary rights (as distinguished from mere tenant rights) were maintained. The former proprietors obtained either a sub-settlement or some revenue free land, or land at reduced rates, not all they would have got in other provinces, but still something. When afterwards some small privileges were given to tenants or representatives of tenants who had been ousted from sub-proprietary rights, they were so few in number as to make it seem probable that there was not at this time a very great deprivation of those who had proprietary rights in a tolerably active form. I do not find any statement of the amount of land held by these small sub-proprietors, but I gather from subsequent statements that proprietors large and small of one kind and another hold in their own hands and till about 20 per cent or one-fifth the soil of Oude.

A class of questions which have taken longer to settle are those connected with the change from the native tenure, as regulated by native law, to the British tenure given by the sunnuds. The desire of the Chief Commissioner was to give to the Talookdars a complete title in the English sense. But, as I had anticipated, all sorts of difficulties arose—sometimes error due to haste, sometimes questions depending on the peculiar relations of native families, others respecting the rights of mortgagors and mortgagees, and above all, questions regarding the power of existing holders to deal with their estates at their pleasure, and will them away as they chose, which they could not do under native law. It was assumed that the absolute British title would enable them to do this. As regards the majority of the Talookdars, of mere modern origin, there was probably no great objection to such a power, if we chose to concede it. But it was different as regards the still considerable number who really were old chiefs of clans or of considerable families. I believe the law of succession in the male line,

accompanied by something of the nature of an entail, to be the ancient law of the Aryan races, at any rate it was the law of the most Aryan-Indian tribes, Jats, Rajpoots, etc. And it was the more so, because, as I have already said, the heads of clans were originally rather chiefs than proprietors of all the land of the clan. Then there came in this important circumstance, that these tribes were bound by the law of exogamy, that is,—although they must marry within the caste in the broad sense, a Rajpoot must marry a Rajpoot woman, and a Brahmin a Brahmin woman,—they could not marry in their own sub-division or clan, but must take a wife from some other clan or great sub-division of the caste. Consequently a man's agnates, his relations on the male side, were all of his own clan, while all his relations through females were necessarily of other clans. Very many Hindoos of rank are, it seems, without children. And the family feuds are so many, especially when there has been anarchy, as there was in Oude—one branch of the family had so often ousted and murdered those of the other branch, that the chiefs in power were very apt to be on bad terms with their cousins, and very little inclined to let the succession go as it ought to go, if they could help it. When they learned that they could do as they liked with their properties, they were very apt to wish to make their relations in the female line their heirs. I rather think that the Rajah of Amethee (whom I mentioned before) was a case in point. At any rate all sorts of difficulties kept cropping up. A few years later an attempt was made to settle the matter by legislation, which, for the most part, gave a free hand to existing proprietors, subject to some very slight precautions. I have not been in a position to follow the developments of the matter, but this I know, that to this day those who read the Privy Council reports may find frequent cases from Oude, the final appeals of a protracted litigation, resulting from Lord Canning's confiscation and re-grant of landed rights in Oude. Much trouble is apt to come from tampering with indigenous institutions.

A much wider question, and one more hardly fought,

was that of the position and claims of the ordinary tillers of the soil in Oude, involving also indirectly the question of their position in India generally. That was a battle of Titans fought by Governors-General and other great men, and recorded in hecatombs of correspondence and in many Blue Books. I was not really actively engaged in it to any considerable extent; but as it happened that it was I who set the ball rolling, and the matters involved questions in which I have taken great interest all my life, I may here give some account of it.

I have already said how difficult it is to determine questions of positive right where there are no laws, and where property is so ill-defined as was property and land in India. I have alluded to the difficulties regarding proprietary rights. But infinitely the most numerous class of the people were the cultivators who could not be called proprietors in any complete sense. We found all the interests in land throughout most of India in a sort of fluid state, to be moulded much as we thought expedient and just.

The first province to be dealt with administratively on a very large scale was Bengal, and it is curious to see how exactly the situation which afterwards cropped up in Oude was described by the old Indian administrators of Bengal in the latter part of the last century. It is impossible to put the question better than they did. Dealing with the permanent settlement of Bengal, they say that the relations of Zemindar and ryot are "neither that of a proprietor nor a vassal, but a compound of both. The former performs acts of authority unconnected with proprietary rights, the latter has rights without real property. And the property of the one and the rights of the other are in a great measure held at discretion."

And again, "the Zemindar has become a landholder, possessing an estate which is hereditable and transferable by sale, gift, or bequest, but subject, nevertheless, to such rules and restrictions as are already established, or may be hereafter enacted by the British Government, for securing

the rights and privileges of ryots or other under-tenants of whatever denomination in their respective tenures, and for protecting them against undue exaction or oppression."

This last curiously coincides with Lord Canning's declaration in regard to the Talookdars of Oude. But then comes this very important difference, that whereas Lord Canning very much left those rights and privileges of the ryots to the chances of the future, Lord Cornwallis and his advisers protected them by positive law so far as law could protect them. The regulations of 1793 distinctly give the ryots fixity of tenure at a fair rent; they laid down that a Zemindar should only receive the customary or established rent, and that he has no right to dispossess the resident cultivator so long as he pays that rent. It cannot then be too often repeated that Lord Cornwallis did not establish absolute landlords, but only very limited landlords, while a very strong tenant-right was provided in favour of the tenants. The only failure was to record those rights and protect them against abuse and absorption. For nearly three-quarters of a century following the Bengal settlement, great varieties of opinion prevailed regarding proprietary rights in India, but there was a general concurrence in the necessity of protecting the ryots in one shape or another. In Madras and Bombay superior holders were got rid of altogether, and the ryots were elevated into complete peasant-proprietors. In the Punjaub and parts of the North-Western Provinces the strong village communities were recognised as combining proprietary and cultivating rights. But in most of the North-West Provinces a landlord tenure of some kind was established, some large and more small landlords, but in either case with cultivating ryots under them. At first the rights of the latter were not very exactly defined, but in those days no one attacked them, and when in the course of a regular settlement all rights were recorded, the permanent resident ryots were registered under the Mogul official term of "Mouroosee," or "hereditary," with the same fixity of tenure as the

Bengal ryots, and duly recorded rent-rates. In both provinces there was always a distinction between the permanent resident ryots, known as "Chupperbund" or "roof-tied," and those known as "Pyekasht" or "foot cultivators." The former were the established members of the village community, the latter were outsiders who came in temporarily to cultivate abandoned lands, and generally did not reside in the village, or, at all events, not as permanent inhabitants. These last were considered to have no permanent rights, and to be mere tenants at will. It may give some idea of the effects of the system followed to take the results in the province of Benares, closely adjoining Oude, given in the last statement of the moral and material progress of India for 1888-89. The Benares division (or at least so much of it as was not formerly part of Oude) was permanently settled soon after the Bengal settlement, and consequently there was no occasion for the interference of our revenue officers to make new settlements and inquire into rights. Things worked themselves out a good deal in accordance with native institutions and British laws for the protection of tenants; it was not till later that a complete survey and record of rights was undertaken. The result, so far as the question now under discussion is concerned, is this: 23 per cent of the cultivated area is farmed by proprietors, and the rest by tenants. But of the tenants 84 per cent have occupancy rights, while only 16 per cent of the rented lands or 12 per cent of the total cultivated area is held by tenants at will. It will presently be seen what a contrast this is to the state of things in Oude as it is now regulated. With the experiences I have just described, it will not be surprising that I and other officers accustomed to the systems pursued elsewhere, assumed that in Oude also the ryots had strong claims to protection and tenant-right. The people and institutions were the same; the only difference was that, owing to the state of anarchy so lately prevailing in Oude, the indigenous institutions had not had time to crystallise in peace. The ryots had been very much harried; and what they had prized more than

anything else was the "sacred right of rebellion." The rival claimants to Talookdarships were continually ousting one another; and according as one or other gained the upper hand, the ryots suffered with the loser. Still ryots were always a source of strength; the desire was to keep them, not to get rid of them; and if they were too much harried by one master they could take refuge with another. Consequently a considerable proportion of them were less settled than in provinces which had enjoyed the British peace for a generation or two before the position of ryots was called in question.

Up to and during the Mutiny, the general accord in regard to the protected position of the resident ryot was not disturbed, and it is rather remarkable that on the very eve of the contest on the subject the well-known Act X. of 1859, to make more effectual in practice the Cornwallis provisions for the protection of the ryots, was passed without any serious opposition on the part either of the Bengal landlord interest or of British pro-landlord doctrinaires. That Act, though not complete, and since amended, laid down important principles, and has sometimes been called the Ryots' Charter. It applied both to Bengal and to the North-West Provinces, and was subsequently in some shape extended to other territories—in fact, it is the foundation of the law of tenant-right in all Northern and Central India, Oude only excepted. In spite of reactionary influences for a period, those principles have been maintained, and all subsequent alterations have been in the direction of giving greater security to the ryots.

In Oude, things soon took another course. Landlords and landlordism were there in high favour, and the system was pushed to an extreme. At home, too, in the United Kingdom, tenant-right was in no degree admitted—no one would listen to anything but economic contract. And in spite of the Bessborough Commission and all the rest of it, the British Parliament in 1860 passed the Irish Land Act, which abolished all status holdings, and declared the relations between landlord and tenant in Ireland to be regulated

by pure contract only. In Oude the Chief Commissioner, though not absolutely denying, did not like tenant-right; and in September 1860, in drawing out his instructions for the revenue settlement, he declared that he had determined to make no distinction in the records between privileged tenants and cultivators at will. Abstractedly, he considered the right of permanent occupancy in the tiller of the soil to be an invasion of the rights of property, and a clog on enterprise and improvement. Nothing but necessity could justify such a measure, and to introduce it before the necessity was shown would demonstrate a wanton spirit of meddling. The settlement instructions were generally approved by the Government. Mr. Wingfield afterwards explained that, while he was prepared to admit the existence of a modified right of occupancy, he did not think it necessary to inquire into the subject at the settlement, but would prefer to leave it to the subsequent decision of the Courts, if such claims should hereafter be made. That was in truth the crux of the matter—he threw the whole onus of proof on tenants claiming a right of occupancy. There was doubt, too, what courts could decide the matter. For the present all land questions were reserved for the Settlement or Revenue Courts. But there was another jurisdiction which became active in such matters. In those days the Talookdars were petted exceedingly, and as many virtues were attributed to them as formerly had been vices. Among other plans for making them fine old English gentlemen and something more, they were given the powers of unpaid magistrates, and also of judges in the smaller civil and revenue cases. They did not much care to trouble themselves with civil cases, but they were very ready to take up revenue cases. I drew attention to the danger of allowing them to decide cases in which they were themselves interested. It was in fact a good deal on the same footing as reserving poaching cases for English justices. The Secretary of State had also noticed the matter, saying in April 1860, "You report that you have granted to certain Talookdars limited revenue jurisdiction

over their estates, and have at the same time invested them with magisterial powers. This is a very important measure. With reference to the character which some of the Oude Talookdars have hitherto borne, its operation should be carefully watched." And so the matter rested for a couple of years.

In 1862, in my annual report for the past year 1861, I returned to the subject, and in connection with it incidentally mentioned my belief that there was a right of occupancy in the ancient cultivators of the soil, subject to a payment, so far fixed that it consisted in the landlords' right to a certain proportion of the produce, or to money rates in commutation of that produce. I said that in this sense, "though there were no cultivators at fixed rates, there were cultivators liable to *regulated* rates, and so distinguished from tenants at will." The holding of the superior Zemindars from the Government was of the same nature, but less distinctly regulated. The British Government now limits its demands on them. To permit under our strong rule, which destroys the right of resistance, such unlimited enhancement of rents at the discretion of the Zemindars as to render the ancient tenants in practice mere tenants at will, would put them in a decidedly worse position than they previously occupied. And I went on to say, "It is clear that as the country advances great rent questions must arise between the superior and inferior holders, and I cannot but think there is some ground for apprehending that, if the former are allowed for a series of years to decide cases which affect their own interests, the inferior rights may be obliterated." I instanced the case of Maharajah Man Sing in his character of Honorary Assistant Commissioner. He had from the first declined civil cases, but had acted freely in his magisterial capacity. Of nineteen persons convicted by him during one month, eleven were punished for opposition to his own revenue processes, four of them illegally for resisting his own servants engaged in executive duties.

At the time that this was written Mr. Wingfield had

gone on leave to England, and his *locum tenens*, Mr. Yule (Sir George Yule), agreed with me that some kind of occupancy rights did exist. Lord Canning left India in March 1862, and towards the end of that year I left Oude. I had no more connection personally with the Oude land question, but, as I lighted the train which gave rise to the subsequent discussion, I go on with the narrative.

Immediately on his return from England, Mr. Wingfield took up the question where I had left it. He rather resented my interference, and seemed to misunderstand what I had said, as he energetically denied what I had never asserted, *i.e.* that there were cultivators with rights of occupancy at fixed rates. He himself, however, distinctly admitted that a mere right of occupancy did exist. His own views are thus stated:—"The Chief Commissioner's views on the general question are briefly these—that, though there are no cultivators in Oude entitled to hold at fixed rates, there are cultivators with rights of occupancy; but this does not restrict the landlord from raising the rent after due warning, if other cultivators are ready to give more for the land than the present occupant pays, and if it is a fair rent, and not an excessive one run up merely to oust him. In short, the right of occupancy only entitles the tenant to hold at market rates, and protects him from wanton eviction." He denied that there were any established or regulated rent-rates. The matter attracted the attention both of the Government of India (Lord Elgin being then Viceroy), and of the Home Government. Lord Elgin observed that after all there was no great difference of opinion between the Chief Commissioner and Mr. Campbell on the question of the right of cultivators to hold at fair and reasonable rates; but with reference to what I had said he asked whether the omission of all reference to their rights in the settlement records, coupled with the judicial powers conferred on Talookdars, would not have a tendency to obliterate them altogether, and thus to prejudice unjustly the status of the holders; and whether it would not be possible so to record the rights as to keep them alive, leav-

ing it to the Courts to determine the precise nature of these rights if disputes should arise. Almost at the same time the Secretary of State also addressed the Viceroy, referring to my report in somewhat similar terms, and called for further information. The Chief Commissioner did not immediately reply to these inquiries, and nothing further passed till after Lord Elgin's death and the accession of Sir John Lawrence to the Viceroyship. Very soon Sir John's attention was called to the matter, and early in 1864 he commenced a correspondence on the subject which soon assumed a very acute character. The Viceroy expressed the opinion that full justice had not been done either to the sub-proprietors or to the tenants, and that the settlement operations were conducted under the supervision of officers whose opinions ran so strongly against the inferior rights as to prejudice the inquiry. Mr. Wingfield retorted by taking up a much more decided position than hitherto, wholly and absolutely denying all rights of occupancy altogether. Referring to his previous admission of a limited right of occupancy, he now said, "the light that has been thrown on this subject by personal inquiry, by the reports of the local officers, and by perusal of other correspondence, has induced the Chief Commissioner to believe that, under the influence of prepossessions acquired in the North-West Provinces, he made too hasty an admission, and has forced on him the conviction that a right of occupancy in non-proprietary cultivators has never in theory or practice existed in Oude." A little later he said that the Talookdars might consent to certain concessions to the under proprietors, but that they were wholly opposed to the record of any non-proprietary cultivators as possessing a right of occupancy, and to the limitation of the rent to be demanded from them, and would never agree to that. He was himself, he said, "satisfied that any such interference between landlord and tenant would be detrimental to the best interests of all classes, and fatal to the progress and prosperity of the province." And again, "The claim of any interest to protection in its industry has been repudiated in

England, but in India it is accorded to the lowest form of agricultural interest. This course of policy, the Chief Commissioner believes to be opposed to modern principles. The doctrine that it is the duty of the State to interfere to prevent the owner of the soil from doing what he pleases with it, is one that Englishmen will not subscribe to in their own country. Every attempt to legalise it under the guise of tenant-right in Ireland has been defeated in Parliament; and the idea of limiting the power of the landlord has been denounced as communistic by an eminent living statesman."

Thus he took his stand on the highest doctrine of free landlordism. As regards the unqualified opposition of the Talookdars to any occupancy rights, I must say I believe that opposition to have been largely the result of outside prompting. At first, Mr. Wingfield himself and Mr. Yule, and so also the Talookdars, did not deny a limited occupancy right, as I found in conversation with them. Even the Rajah of Amethee, the most unyielding of them all, and the most disinclined to admit any proprietary rights of his own clansmen, when I put to him the claim of the mere ordinary ryots, said, "Oh yes, I don't object to that; no doubt it is the custom that they should remain so long as they pay their rents." But the Talookdars were soon stirred to opposition by English and Bengalee organs. When the aristocratic current of opinion became strong, after the Mutiny, the Bengal Zemindars repented that they had let Act X. of 1859 pass so easily, and fought against it as much as possible. Sir Barnes Peacock passed a decision reducing the rights under that Act to very narrow limits, of which Mr. Wingfield made much at the time, but which was afterwards entirely reversed by the full High Court. Man Sing and a few other Talookdars of modern ideas took up the same views. A clever Bengalee started a newspaper in Lucknow as their organ, and many Anglo-Indian newspapers backed them up. Political agitation meetings began to be held. I think this was the first instance in India of opposition to the Government by political agitation in

European style, which has since become so prominent a feature; and in this case the Oude agitators were emboldened by the knowledge that their views had the sympathy of the local administration.

The question of tenant-right in Oude was very elaborately discussed by the Government of India. Sir John Lawrence recorded a strong minute in favour of protecting the ryots, and contrasting Mr. Wingfield's views and mine, very much inclined to the latter. He insisted that there should be at any rate a fresh and impartial inquiry. But strong as he had been in his own domain in the Punjaub, in Calcutta he had by no means control of his own Council. Some of the members, very distinguished men, so far agreed with him, but there was keen opposition on the part of others, who may be called in a sense "Canningites," as they insisted on considering the unlimited right of the landlords to be the essence of Lord Canning's settlement, and entirely protested against any re-opening of the question as a kind of sacrilege against the dead statesman. They thought Mr. Wingfield's inquiry and report quite sufficient. Sir Hugh Rose, the Commander-in-Chief, premising that he was not master of this purely civil question, went on to say that, as a member of the Government of the late Viceroy, he would deprecate any concession which would compromise the rights granted to the Talookdars by Earl Canning's Government. "I should regret it," he said, "the more if such a concession, not based on positive right, affected a great, and I venture to think a wise, feature of his Lordship's policy, the maintenance of our Indian aristocracy." Mr. W. Grey took a much more strong and controversial view, and very stoutly supported Mr. Wingfield's opinions while he denounced mine as only "a general theory put forward by Mr. Campbell." He thought that what was now proposed was a setting up of this general theory and not an inquiry into individual rights, susceptible of being substantiated by tangible proof. Therefore he could not concur in the expediency of re-opening the question, and so reversing the acts of a former Government.

That was the light in which he viewed the Viceroy's proposals.

As so much was made of what I had said in the course of arguments in which I had no part, I may explain that I had never argued out the question, and had merely made very brief observations incidental to one phase of it. When I expressed my belief that the tillers of the soil had some right of occupancy, I did no doubt speak merely from the analogy of the surrounding districts and the opinion of many of those around me. I did not at all distinguish between legal, equitable, and moral rights, and I daresay that if I had been arguing out the matter I should not have asserted that these were positive rights capable of conclusive proof, for I pretty well knew that in that sense the rights of cultivators probably would not be made good. I may add that, in regard to the position of small tenants in India, Ireland, or anywhere else, I have always held that, in the absence of positive law, the claim to tenant-right is founded not only on a moral basis, and the necessity of protecting the weak, but also on the strict and economic ground that, where the landlord does not provide the buildings and improvements, cultivation cannot properly be carried on without such a security of tenure as may enable the tenants to do these things; and that, when the tenant does make the improvements, his capital being intermixed with that of the landlord, it is generally recognised that he ought not to be ejected. Curiously enough some of the ignorant Oude ryots seem unconsciously to have put their case upon this economic basis. Thus one man says he claims to hold the land "because he has made his field so nice, and spent so much in manure; he would not stand being turned out by any but the Government." Another says, "he has a cultivating right; has done so much in tilling and manuring that it would be a shame to turn him out; he could not live if he were ousted." I thought that an ample discretion was given by Lord Canning's reservations, and wished that the ryots should have that protection which by a common consensus it had been thought expedient to give them

in all other parts of India. My belief is that it is quite possible that Lord Canning himself might have taken this view, just as Lord Cornwallis, equally favouring an aristocratic landlord settlement, had taken a similar view in the last century. But it very often happens that when an honoured and respected man is dead, his disciples go far beyond his own views and use his name as a cover for their own. I see no evidence that Lord Canning had ever considered the right-of-occupancy question or decided against it.

The outcome of the discussion in the Calcutta Council in that year, 1864, was that a fresh inquiry should be made, and that for the purpose the office of Financial Commissioner should be revived. But the pressure of the Canningite party in the Council very much restricted the object of the inquiry, shut out all question of policy or moral right, and narrowed it down to the bare question whether the ryots could prove a right. The Financial Commissioner was desired to make a thorough inquiry. All claims to a right of occupancy were to be impartially heard in order to decide whether such rights did exist in Oude at the time of annexation. And if they were "judicially proved to exist," they were to be recorded and preserved. Here again the onus was thrown on the cultivators, and it is hardly a surprise that on that condition they did not succeed. The inquiry was conducted amidst much newspaper agitation against a "communistic policy," and Man Sing and others learned to make speeches denouncing such a policy in Bengal landlord associations and such gatherings.

The result of the inquiry was that there was no strict proof of actual right in the cultivators. Most of them in fact did not claim a right in a strict sense. They relied on nothing higher than custom. Their "idea was that they have a sort of right to cultivate their holdings so long as they pay their rent." That rather reminds one of the expressions used by Captain Burt regarding the tenure of the Highland clansmen upwards of a century before; and the result in the ultimate denial of legal right was much the same in the Highlands as in Oude, till tenant-right was restored to some

of the Highlanders in very recent days. The inquiry in Oude undoubtedly showed that for a long period might had been right there, and that there was no substantial redress for wrong. The most that could be urged was a moral claim based on the feelings and traditions of the country, and put thus: "You allow that the Talookdar had power to oust you?—Yes, he was in power; but it was not right for him to do so." That was the general idea repeated in many shapes. Almost all the local officers were agreed that positive rights were not established; and as to moral right they were divided according to their own proclivities of opinion. Mr. Davies, the Financial Commissioner, reported that occupancy rights had not been proved, and I freely admit that he was justified in doing so. He further suggested that if, as matter of policy, interference on behalf of the cultivators should be needed, "Act X. of 1859 is as much adapted to the circumstances now existing in Oude as it is to the North-West Provinces. *Its introduction would merely transmute customs into rights.*" After this report the matter was again rediscussed by the Government of India. Mr. Muir (Sir William Muir) made a very exhaustive memorandum on the subject, and suggested a modification of Act X. of 1859,—that all cultivators who had held land in an estate for twenty years, and in whose family it had descended at the least to a second generation, should be entitled to occupancy rights at the rent-rates prevailing in the neighbourhood, while any claims of other ryots should be decided according to local custom. But the Viceroy was not inclined to fight the question any more. He was hard pressed and worried in his own Council, and uncertain of support at home; practically he gave in. He ceased altogether to take high ground in the matter—proposed compromise, and to that end entered into amicable negotiations with Mr. Wingfield and the Talookdars. He occupied himself a good deal about the case of the under proprietors, and obtained some small concessions for them. With regard to the ryots, Mr. Wingfield, in concert with, the Viceroy, proposed to the Talookdars a very mild com-

promise which would have given them almost everything; but they, flushed with victory, positively rejected it, and Mr. Wingfield so reported on 10th March 1886. On the 19th of the same month Mr. Wingfield finally left Oude. His successor, Mr. (Sir John) Strachey renewed the negotiations, and at last effected what was called a compromise. The Talookdars agreed to give to those ryots who had been formerly proprietors, or were the descendants of proprietors ousted within thirty years, a right of occupancy, heritable, but not transferable, and rent-rates one-eighth below full competition rates, while they were allowed to deal with all other ryots as they chose. Sir John Lawrence seems to have been under the impression at the time that the representatives of old proprietors, for whom he obtained this moderate privilege, were a large class, but this has proved to be entirely an error; it has since been officially reported that the number of these occupancy ryots does not exceed 1 per cent of the whole number.

The only other arrangement in favour of the tenants was a provision for compensation for improvements which add to letting value, made within thirty years—but that was confined to waterworks and clearance of waste. The latter did not count for much in a country which being an unvarying rich alluvial plain, was already the most populous and cultivated in India, or perhaps in the world. The practical effect of the provision was mainly confined to masonry-wells. In the course of the inquiry about the right of occupancy, it was urged on one side that the ryots not infrequently built such wells, and on the other, that the Talookdars freely dispossessed them. So the privilege was in effect confined to wells built in the past thirty years, and not taken from the owners before the expiring of that time. By a subsequent enactment, the claim was confined to improvements made in the past, and in future there was no claim unless the written consent of the landlord had been previously obtained.

On the compromise being agreed to, a general shaking of hands took place, all parties seemed to be pleased;—only

the mass of the people, the ryots, were left out in the cold. On 24th August 1866, the Government of India sent the final letter to the Chief Commissioner. "The Governor-General sees much reason to conclude that the arrangements thus determined by consent are as fair and just to all parties as the peculiar circumstances of the province will admit. The Talookdars have voluntarily consented to make certain important concessions in respect of tenant-right. The terms thus settled will embrace a large body of the cultivators of the province." "The Liberal policy inaugurated by the Talookdars themselves, will, in the long-run, as his Excellency in Council feels assured, redound to their own interests, while it will tend to the contentment and comfort of the cultivators. The Government of India is deeply sensible of the praiseworthy and enlightened behaviour of the Talookdars of Oude, which has enabled you to reach so successful a conclusion. And you will not fail to inform the whole body of the Talookdars, and Maharajah Man Sing in particular, how highly their conduct has been appreciated by the Viceroy and Governor-General in Council."

As regards the future, the only provision was contained in the last paragraph, which went on to say that the Governor-General anticipated that "the rules agreed on would work well for all parties; yet it is possible there may be cases in which this expectation may not be fulfilled. Should any such hereafter occur, his Excellency in Council trusts that you will, in communication with the Talookdars, be able to apply a suitable remedy in the spirit of the present arrangement." What has already been stated, namely, that the privileges gained proved to be confined to barely 1 per cent of the tenants, sufficiently shows how much the Government of India deceived themselves in supposing that it was a great concession to a large body of the cultivators. The truth is, that the so-called compromise was a surrender. Sir John Lawrence was for once beaten, even if he did not quite know it. I do not take upon myself to say that the reasons for acting as he did may not, under the circumstances, have been sufficient, but I hardly think he need have been so

gushing and complimentary to Man Sing and the Talookdars who had successfully conducted the agitation against him and had triumphed.

The terms agreed upon were embodied in legislation. The result was, that in Oude alone, of all the provinces of India, the landlords obtained absolute and unqualified property in the soil, and the cultivators were left without any rights at all—with very insignificant exception. It is curious that this should have been the consequence of an annexation due to the misconduct of the Talookdars, and of a confiscation due to their rebellion. Lord Canning's confiscation produced the exact opposite of what was supposed. The verdicts of history, too, seem somewhat strange when we compare Cornwallis and Canning. It has been the fashion to condemn the former for having sacrificed everything to gratify a desire to create a copy of English landlords in the shape of Bengal Zemindars, when in reality he was most careful to set out the rights of the inferior people. On the other hand, Lord Canning has been praised to the skies for protecting the people when—I will not say he sacrificed the ryots to the landlords, for I do not think he intended to do so ; but when, as a matter of fact, the course which he took had that result. It was hard, too, upon the Oude tenants that their case was dealt with just before the dawn of that phase of opinion which had so largely developed tenant-right. Comparing the titles of Oude landlords with those of Irish landlords before tenant-right came in, the difference is that the Oude titles were by Lord Canning's explicit declaration, "subject to any measures which the Government may think proper to take for the purpose of protecting the tenants under them;" whereas, in law the Irish titles were beyond any doubt absolute and complete. I all along thought that Lord Canning's reservation would have justified any measure of protection, and later legislation has borne me out in that view.

The system adopted in Oude did not result in the idyllic community that had been anticipated by its advocates—quite the contrary; great social and agrarian difficulties

soon supervened, and Oude threatened to become another Ireland, less (it is true) the Irish.

There were a good many family quarrels among the Talookdars in consequence of the misfits of the new law to which I have before alluded. Between extravagance and litigation many of them became very much embarrassed, and failed to pay the revenue due from them. There was a great deal of clashing between them and the sub-proprietors. Their relations with the ordinary ryots were still worse. As has happened in other countries in similar circumstances, the landlords, finding that they had no longer to win the adherence of their clansmen and tenants to fight for them, took to exploiting them for profit to the very utmost. They were instigated by the landlord organs in the press, and were in many ways encouraged and almost urged to assert the position of absolute owners, and to raise their rents by processes hitherto unknown in India,—especially by claiming the right to eject all who refused to comply with their demands. Five years after the settlement the number of these new-fangled notices to quit reached the number of 60,000 per annum, and though under some pressure that excessive number was for a time reduced, it grew again. The object was not to clear the land for cattle and sheep, but only to compel submission to enhanced rents. Many of the tenants, however, resisted, and a large number of ejections took place, besides that many others voluntarily abandoned their lands rather than submit to the exorbitant demands. In no part of India was there such a war of classes, and it was said of Oude—"In no part of the country is there more resistance and discontent among the ryots, and nowhere is the Government revenue so ill and irregularly collected, and so many remissions found necessary."

For a time an effort was made to check these evils, but again British ideas of political economy prevailed, and it was thought right to follow out to the bitter end the experiment of a pure landlord and tenant system unique in India—one set of men being absolute and unrestrained owners,

and the mass of the people simple tenants without any rights whatever. So late as 1874 a despatch of the Government reasserts the British doctrines of 1860, that "the relation between landlords and tenants should be settled on its only sound basis, that of free contract, and that the ancient tenures of the country which were regulated by custom should gradually give way in favour of tenures founded on agreements embodied in written documents."

For the ryots there was nothing but this hard doctrine: "If Brahmin and Rajpoot ryots are ejected because they are either too proud or too lazy to work, they have simply met the doom which ordinarily follows a life of proud slothfulness." But, on the other hand, the petted landlords were to be very differently treated when they got into difficulties and failed to pay their revenue and their debts. Remissions were made, and the Government actually interfered to save them—passing Encumbered Estates Acts, not to sell them up, but to dry-nurse them and protect them from their creditors, and maintaining large establishments to assist them.

It was all, however, of no use, and Oude agrarian questions were continually cropping up—troubles increased and gave rise to perplexing questions which caused much anxiety to the Government, and to discussions which continued for years. At last interference could no longer be avoided, and after much consideration a new Oude Landlord and Tenant Law was passed in 1886. That law, though very imperfect, does, I think, in principle justify the view I had all along taken. It recognises the power to interfere between landlord and tenant, the necessity to interfere, and the existence of customary rents. By its provisions every existing or present tenant has what is called a "statutory tenancy" of seven years. If the landlord allows him to remain for another term, he cannot raise the rent more than one anna in the rupee, or $6\frac{1}{4}$ per cent during the next seven years, and so on. Though the landlord can turn him out at the end of each seven years, the motive to do so is taken away, for in that case he cannot charge a new tenant more than the

rent that he could have taken from the old tenant. In regard to rent payable in kind, that is, a proportion of the produce, there is this special provision, that rent cannot be raised except *in accordance with an established custom of the Pergunah in which the land is situated.* After that, what becomes of the denial of my suggestion that anything of the nature of customary rents ever existed in Oude?

So far there seems to be a considerable protection to the ryot, but then comes a watering down to conciliate the landlord. The protection above-mentioned is not extended to the heirs of ryots. When a ryot dies or gives up his holding, his heir has no privilege beyond the existing lease—the landlord can then do as he likes, and let the land at any rate he can get. Practically then, protection, such as it is, is given by this enactment only for the lives of the existing tenants, like a good many other enactments in other parts of the world; it is well calculated to stave off evictions and scandals for the present, but is only a putting off of the evil day.

It seems surprising that in days when there is a kind of flood-tide of tenant-right, and so much has been done in Ireland, the Indian Government could not get beyond so mild and timid a measure in Oude. I suppose there are still people who think that tenant-right is landlord-robbery, as a great many did a quarter of a century ago; but now that a Liberal Government have passed the Act of 1881 for Ireland, and a Conservative Government have much extended that Act in 1887, something more might be done for Oude. Even though Hindoostanees are not even as those Irish, I hardly think that we have done with Oude yet,—there will have to be a further settlement of agrarian affairs there.

Another subject I will here mention, namely, the police. I have alluded to the changes in that department by which the police was taken from my immediate control, and a semi-military police was established, but I still had very intimate relations with them, both then and in later years, so I will say something on the subject.

The task of the police is always most difficult—to combine efficiency in catching thieves with clean hands is very difficult indeed, and the police are everywhere liable to be much abused. It was especially so in India. They had many defects, but were not quite so bad as they have been painted. The first note in regard to the changes now taking place came from the Home Government—the Court of Directors—in a despatch sent to India just before the commencement of the Mutiny, and which was not answered till after the outbreak. Referring to the complaints against the police, they suggested that they should be put upon a more regularly organised footing as a uniform body under one head in each province; and they wound up with the English commonplace about keeping the function of prosecuting offenders entirely separate from that of trying them. I call this an English commonplace, because, though it sounds well, I think that it is a fallacy, and believe that the system indicated is not practical in other countries. On this and other points English ideas regarding dealing with crime are founded on the inveterate old English belief that a criminal trial is a litigation between two parties, and not a public function to suppress crime for the common good. There is, too, a survival from former days, an idea that the great merit of criminal procedure is to protect the subject from a tyrannical Government not representing the people; an idea which is still caught up in countries where that state of things prevails or is alleged to prevail. I owe my immunity from those English ideas to the circumstance of my being a Scotchman, and by residence an Anglo-Indian, for both in Scotland and in India a different system has been followed, as is the case in most other countries. As regards this question of the function of the police, no doubt it is true that pure detective work should be kept as far as possible separate from judicial work, and that the ultimate trial of serious offences must be reserved for impartial judges. But there is a large and most important intermediate stage, that of inquiry into and preparation of a case; and this inquiry must from the first have a judicial character. You must

have something of what is called a "police judiciale" or a public prosecutor department exercising judicial functions of an inquisitorial character. That is necessary quite as much for the protection of the innocent as for the bringing to justice of the guilty. In India the police had always been avowedly of this quasi-judicial character. They made inquisitions, recorded evidence, and sent in reports preparing cases for the magistrate. It is most dangerous when the police are allowed to prepare a case without any judicial record or judicial responsibility, and to become mere prosecutors whose credit depends upon success in securing convictions. I saw much of that evil in my latter service in India, and in recent years I have noticed it in some conspicuous cases in this country.

To return to the despatch of the Court of Directors. The Government of India, a controlling and not an executive body, did not accept the views suggested in the despatch, and preferred something nearer the plan which I had proposed. The Government of Madras, however, accepted the views of the Home Government, and expressed their readiness to act upon them, and the Government of Bombay I believe did so partially. The truth is that the centralising plan has great temptations to the head of an executive government. The real control over most countries, where a regular constabulary is established, is exercised through the constabulary, and if that force is centralised under one chief in immediate subordination to the head of the Government—whether he be an Indian Provincial Governor or an English Home Secretary—that gives him the strings in his own hands. In India there had always been a good deal of official decentralisation. Commissioners of divisions and district magistrates had a good deal their own way. When the central office desired to centralise, the control of a centralised police was the most effective means of doing so.

Sir R. Montgomery fell into the new police views. He had been all his life an executive officer, and as Judicial Commissioner in the Punjaub had the management of the police—he liked that work. There were already some local

battalions which were miscalled police battalions—and the expense of maintaining both these battalions and a regular civil police was considerable. There was, too, abroad a somewhat exaggerated idea of the guerilla disturbances which might follow the Mutiny. Montgomery was a Protestant Irishman, and probably derived from his own country a liking for something of the character of the Irish police. And so it happened that he determined to amalgamate the police battalions and civil police into a single body, which meant abolishing the civil police swept away in the Mutiny, extending and adopting the existing military police, and entrusting them with the whole police functions of the country. They were to be under a chief of police acting under his own eye. He introduced that system before he left Oude, and when he was promoted to be Lieutenant-Governor of the Punjaub, I believe that as far as possible he introduced a similar system there.

When Sir Robert Montgomery left Oude, the new Chief Commissioner, Mr. Wingfield, was not so much enamoured of the military police, and gave me an opportunity of expressing an opinion on the subject. I said that I did not believe there would be much civil disturbance requiring a quasi-military force to deal with it, and that I regretted the new police should have been formed on an Irish rather than on a British model; quoting some then recent observations of the Irish Chief Justice regarding the failure of the Irish police to deal with ordinary crime. After taking exception to the procedure adopted by the police in several respects, I admitted that they were still new to their work and might be improved, but insisted that they were not sufficiently under the control of the magistrates, and complained of a want of accord in consequence of the too military and independent character assumed by the police. I said that the police should be the right arm of the magistrate and not a rival authority.

The new system was established and had to be maintained, but the evils I complained of were a good deal mitigated. It was admitted that there must be an inquiry of a judicial character at a very early stage in a case. To meet

that, officers of a lower grade than hitherto were invested with magisterial powers—the Tehseeldars or native collectors of revenue, and their assistants. The plan was, that as soon as the police got a clue, these subordinate magistrates were to go and make the necessary inquiry in a judicial character. But the function rather conflicted with their revenue duties, and it was found that they were not strong enough to control the police;—the working was not very harmonious. There was still more difficulty in regard to the honorary magistrates, the Talookdars, who had very active revenue functions of their own which they were apt very greatly to mix up with their magisterial and judicial functions.

In the end the new police was, no doubt, very much improved. The Chief Commissioner with civilian knowledge and experience guided it in the right direction, and Oude was fortunate in a succession of very good heads of the constabulary. But still the system never was quite satisfactory —subordination to the magistrate was not quite complete; in respect of dealing with ordinary crime there remained much to be desired; and there was still too great a disposition to suppose that the great object was to obtain a conviction somehow;—some unfortunate cases occurred.

For some years in all parts of India the current was in favour of an independent constabulary. The cry was all against native officers, and for the appointment of honest young European gentlemen without much regard to their fitness. The police continued to be too independent of the district magistrate. It was not till some years later, when I was in a position of higher authority, that I was able to turn the current, and there was a change which I will notice later. Though I was shorn of some of the functions which I expected when I came to Oude, it is my way to throw myself heartily into whatever I have to do—and I worked with a will on the administration of justice. I had already ideas on the subject, and with the very wide discretion exercised in a non-regulation province, I tried to educate the officers and to establish as good a system as possible according to my lights. After the fashion in provinces so situated, it was my duty

to issue rules and circulars containing directions for the conduct of the officers and courts under my supervision. The old Sudder (Chief) Courts used to issue some orders of this kind, something like the "Acts of Sederunt" of the Scotch Court of Session. But a non-regulation Judicial Commissioner being an administrator as well as a judge—and something of a lawgiver too—does much more. My circulars covered law, procedure, punishments, and everything else. My object was to make the proceedings regular but not too technical. The Indian Codes of Procedure as well as the Penal Code were then in course of elaboration by the Indian Legislature, and founded as they were on very modern and enlightened principles, I had an eye to them with a view to make my rules fit them and so render easy their introduction into Oude. As regards criminal justice I have already mentioned the general issue of the cases connected with the Mutiny. For the rest there seemed at first to be a sort of lull of ordinary crime, but presently it got up to quite the average Indian standard. A few dacoities took place on the Nepaul frontier, which might have been a residue of the war, and there were some very troublesome cases in the city of Lucknow, not very successfully dealt with. There was a little recrudescence of Thuggee; and we were very much puzzled and baffled by the frequent recurrence of a peculiar kind of robbery by the use of poisonous drugs, especially on one road, that between Lucknow and Cawnpore. Travellers used to insinuate themselves into the confidence of fellow-travellers, till at a halting-place one set of travellers were found drugged and insensible, while the other set decamped with their property; the victims sometimes recovered, but sometimes died. The perpetrators must have been very scientific and have laid their plans well, for they always managed to escape, and we were all driven to distraction by the failure to make anything of case after case. It was very long before any clue was discovered. We had our full share of the ordinary murders of the kinds common in India, and the usual numerous burglaries, but not, I think, so much cattle-lifting as I had known in the Sikh country.

The magistrates, acting under my general directions, still exercised inquisitorial functions when a crime had occurred, and I hope they always will; the Indian codes expressly sanction an inquiry of that kind, whether offenders have or have not been apprehended. A special and well-qualified officer was placed under my immediate orders to inquire first into the Mutiny cases and then into the Thuggee and poisoning cases. The police being what it was, we were not very brilliantly successful, but we managed to keep crime from getting too much ahead.

Respecting the trial of cases, I dwelt again very much on the proper mode of taking evidence and arriving at a common-sense decision, looking to the truth and not to any mere formalities. I did my best to make the subordinate magistrates as efficient as possible. Careful rules were issued for the conduct of cases by honorary or unpaid magistrates, not that I very much like that kind of justice, but because native gentlemen already had those powers, and I thought they could more safely exercise them if their proceedings were regulated by simple but distinct rules. I think the measure had a moderate amount of success, but it required a great deal of supervision, and there were a good many cases in which much exception was taken to the exercise of unpaid magisterial functions. In the matter of punishments we had considerable difficulties, owing to the absence of sufficient jail accommodation and the disposition after the Mutiny to punishments of a somewhat too summary character. There is always a tendency to blame the highest courts for not hanging enough or letting off too many cases on appeal, and the Judicial Commissioner of Oude was not exempt from that sort of criticism. But I showed in my annual report that, though the number sentenced to death might be less in proportion than in England and some other countries, the number actually executed was, as a matter of fact, greater. The fact was that the Indian law gives a discretion, on conviction for murder, to sentence either to death or to imprisonment for life; we have not the English system of an invariable death sentence followed

by a discretionary remission. In India, too, life-imprisonment in the form of transportation is, or used to be, almost more deterrent than a death-sentence. It was not unfrequent for a man sentenced to transportation to beg to be hanged in preference. I have had to tell such a man that the sentence was given as a punishment and not to please him. Also, I have always held the doctrine that as mathematical certainty of guilt is hardly attainable, in a very large proportion of cases we must be content with a violent probability. We cannot afford to let loose every criminal in regard to whom there may be an infinitesimal possibility of innocence; but wherever that doubt is at all appreciable, I have always preferred a revocable to an irrevocable sentence, when the former is almost equally deterrent. It is a comfort to think that, if any error should in the future be discovered, there is a possibility of rehabilitating the condemned.

In regard to minor punishments, what I most objected to was the excessive and sometimes indiscriminate use of corporal punishment, which had resulted from the ideas and orders prevailing after the Mutiny. After much experience, I maintained then and ever since that corporal punishment is of all things the most unequal and uncertain. It is very difficult to regulate, depending so much on the temperament both of the flogger and the floggee. If applied leniently, or with anything short of much severity, it is apt to prove a wholly insufficient penalty, while it cannot be rendered adequate to the punishment of serious crime and hardened offenders, unless it is carried to the point of brutality, both in its actual infliction, and in the risk of fatal results, which will inevitably, in some cases, attend very severe flogging. I tried to keep down the excessive use of this punishment, and to restrict it to those offences and offenders for which it was really suitable, but I had great difficulty in doing this effectively, the officers not being personally under my sole control; and I had long occasion to complain that some of them took advantage of the non-appealability of such sentences to inflict them much too freely, sometimes for offences to which flogging was not applicable, or which might even

not be properly crimes at all. It was only gradually that I got the disposition to energetic punishments under control, and not till the new Penal Code was introduced was it very well regulated. For many years the excessive use of corporal punishment continued to be a subject of remark and complaint in one part of India and another; the Home Government has repeatedly had occasion to call attention to the subject.

I have already said that summary punishments were to a certain extent the consequence of want of sufficient jail accommodation, and the jails having been left for a time in my department, I did all I could to make secondary punishments as effective as possible, but it is very difficult; I doubt whether any one has yet satisfactorily solved the problem. I have always maintained that, after all, punishment must be the first object, the making jails pay by profitable labour, and the petting and rewarding prisoners in the idea that they are being reformed must come second. The practice in jails, managed by non-judicial authorities, of judging criminals rather by their conduct in jail than by the atrocity of their offences, is most dangerous. The greatest villain is often the best conducted in jail; he knows that it pays him to be so; while the less acute man, guilty of some unpremeditated violence, and who thinks himself very ill-used, is apt to sulk. But the one is taken for favour and promotion, and the other is left for degradation and punishment.

In the early days of our administration there was sometimes very summary justice. I remember one morning being awakened by the arrival of a present from the headman of a distant village in Oude. It turned out to be a basket of human heads, accompanied by a petition to say that the village had been attacked by thieves, but by the mercy of God they had been defeated and captured, in proof of which he had the pleasure to send me their heads. He was so proud of the achievement, that not to lose the credit of it, he sent this despatch direct to the head of the criminal administration at Lucknow.

In the matter of civil procedure I elaborated in greater detail what I had already done in the Cis-Sutlej, combining Indian and Queen's Bench experience in an eclectic manner. I particularly pressed the need of an intelligible settlement of pleas and issues, and a regular roster of cases and fixing of dates for trials, so as not to keep witnesses indefinitely waiting. In that, as in other departments, I sought to make common-sense the main guide, and prohibited officers from introducing their own ideas of English or any other technical law. Many cases of much difficulty and importance occurred in Lucknow, involving very large questions of Mahomedan law. There were also many cases affecting Government securities and other personal property, where there was a very great want of any regular law for guidance. In most non-regulation districts the district officers combined all functions, but in Lucknow there was ample work for a superior civil judge, for whose appointment I obtained sanction. Still the appeals from his decision came to me, so I had ultimately to face difficult questions. I did as much as possible to promote arbitration; but then it is always necessary to distinguish between *bonâ-fide* arbitration by Punchayet, etc., and that professional arbitration which is merely the substitution of an inferior tribunal paid by the parties and liable to much abuse. I think I mentioned that difficulty in the Sikh country. At Lucknow we tried to establish a tribunal of commerce, on which commercial experts sat to decide cases not regulated by personal class laws, in accordance with local mercantile custom. I think that was tolerably successful, and enabled us to dispose of a good many cases which would otherwise have been very difficult to decide. Some experiments were made of juries of a sort in various forms, but it can hardly be said that they led to any very satisfactory result.

I set about inquiries to ascertain and record as far as possible the existing native laws by which we were bound to be guided in all personal and class matters. It would be a great mistake to suppose that there is simply one Hindoo and one Mahomedan law to be found in the ortho-

dox text-books. There are many schools of Hindoo law and varieties of tribal custom, and there are also the great Mahomedan sects, and some varieties within those sects. But beyond that, we found that there was in Oude, as well as in the Sikh country, a crossing of Hindoo and Mahomedan law, in the case of converted families, leading to peculiar local laws which it was necessary to ascertain. Many of the inferior castes have laws of their own, which are neither Hindoo nor Mahomedan, but of a much more aboriginal character. They have gods of their own, too, involving their own particular oaths, and social ceremonies of marriage, etc.

I always had much at heart the establishment of a system of local registration to obviate subsequent difficulties due to the unreliability of evidence. There was ample precedent for this in the practice of the Mahomedan administration, when Cazees and Canoongoes affixed their seals in verification of deeds. I have tried to utilise people of such classes whose functions are acceptable to the natives, and to establish public notaries and rural registration offices in an indigenous form. That, in fact, has been rather a hobby of mine; I have left the system behind me in all the provinces which I have administered, and I think it has come to be very generally accepted. In Oude, I believe, it was well founded before I left.

While I kept my hands pretty full of official work, our domestic life at Lucknow continued to be pleasant. Lucknow soon became very much restored and improved. There was a large society for an Indian station, and in fact it was more and more one of the pleasantest stations in India. We had many friends, both civil and military, even among those who took different views of Indian politics from my own. Forsyth (the late Sir Douglas Forsyth) of Umballa was made Secretary to the Chief Commissioner, and his family were very intimate with mine, as also that of Major Barrow, a great promoter of the Talookdaree system, but himself the most pleasant and friendly of men. Major Bruce, the head of the police, was a very good man.

I have mentioned our old friends the Abbotts. There was Major Thurburn, my Thuggee assistant, and his successor, Chamberlain, a brother of Sir Nevill. Henry Olpherts of the Artillery was a friend whose memory I greatly regard. I continued to see a great deal of the native gentlemen of Lucknow, and to be rather a protector of the Mahomedan nobility in days when favours were almost too much monopolised by the Talookdars. There were some notable rich Begums in those days, and, after the manner of Begums, they sometimes gave a good deal of trouble, as they did in the days of Warren Hastings; but instead of being squeezed for the public benefit, they were apt to go off with their wealth to the Arabian shrines and try selfishly to secure their own souls. From all I heard of the traditions of two or three generations back in Lucknow and Fyzabad, I was led very much to sympathise with Warren Hastings in his treatment of the unreasonable old ladies, who tried to appropriate the public treasure when the State was on the verge of bankruptcy and ruin. A great friend of mine was the former Governor of Eastern Oude, known as the "Aghai," a very dignified and intelligent Mahomedan gentleman, with whom I used to talk a great deal of "shop." He had had a very long experience, and I was fond of comparing notes with him. He was quite a man who could sympathise with European ideas. As I think I said before, Persian education and manners are very civilised and modern. He has survived to the present year, and I had the pleasure of corresponding with him on the occasion of my son visiting Lucknow.

For relaxation I prosecuted my old trade of gardening. The soil about Lucknow and Fyzabad is very good, and the natives at those places had long cultivated European vegetables so successfully, that horticultural and other societies a long way off used to send to Lucknow for seed in preference to English seed. Strawberries I cultivated very successfully. But my great subject was always mangoes. As at Ladwa, so again at Lucknow, I found that the enlightened natives had prepared the way before me. There

was in my compound a very peculiar mango-tree. The fruit was quite the finest I have ever tasted before or since, and quite unlike any other variety. I never could learn its history. I was very anxious to give the world the benefit of this fruit, and so raise the standard of the age, and I had the tree planted round with young mango-trees, to which the branches were tied,—that is the mode of grafting these trees. But somehow they did not take, and eventually it turned out that there was something wrong with the tree itself; in spite of all our doctoring it went back and pined away, and in the end was lost to the world. That was a very great grief to me; but I did the best that I could with other trees. I also took much trouble to get the best trees of various kinds to plant about and beautify the place. The Indian flowering trees and shrubs are very good and very prolific. There was about Lucknow an indigenous flowering tree like an exceedingly glorified laburnum. I never saw anything finer than it was when in bloom, and I think it was almost peculiar to the place. I have not recognised it elsewhere.

In the second year of our residence at Lucknow my eldest child was born, and that occupied us a good deal.

The climate was not so trying as in many other places; but after the birth of the child, and my wife having now gone through two hot weathers at Lucknow, to say nothing of the Mutiny before that, we concluded that she should have a little visit to England with the baby, and I got a short leave to see her off. We started for Calcutta just when we thought the rains were over; but there came a heavy after-plump when we were on the way, which resulted in adventures and escapes far more thrilling than anything we had gone through in the Mutiny. To save time my wife and child had gone in advance, and I was to overtake them on the other side of the Sone river. Travelling light I got over the river, but it was raining very heavily, and the night had set in very dark and stormy when I reached the travellers' bungalow on the other side. My belongings were not there, though I had ascertained that they had embarked to cross. At

last I learnt that, heavy and encumbered, their carriage, after having been debarked from the boat, had stuck in the wet sands of the river bed, there of very great width—some three miles. The floods had of course washed away all old tracks, and the natives in charge of the carriage had to find their way as best they could. We could not learn exactly where the carriage was, and only knew that some additional bullocks had been taken out to try to find the party and bring them in. All that night passed without any communication with them. Meantime the rain was pouring down amid thunder and storm as it can pour in those latitudes, and I was in imminent fear that the river would rise, and must inevitably sweep them away. Happily they were brought in in the morning. The Sone is a great river; its source is a long way off; the local storm did not raise it very high till the next day, and so they escaped after passing a very wet and wretched night, but fortunately not having realised all the real danger of the situation. The river had risen so high as to come into the carriage, but the natives behaved very well (as they generally do under such circumstances), and with a long row of bullocks and many ropes the carriage was got out at dawn. We continued our journey without further incident till we reached the "Barakar," a much smaller stream near Raneegunge, long the terminus of the railway. It was a river that shrunk to extremely small dimensions when the weather was dry, and only came down after heavy rain. The weather had greatly improved, and it was quite a fine evening when we put the carriage on board a boat which was still necessary to cross a quiet stream not yet quite fordable. We were rejoicing in getting near our journey's end. It had become dusk before we had crossed, and we were in the act of doing so when suddenly we heard a curious rushing sound, and saw that our boatmen were greatly perturbed. "What is the matter?" we hastily asked. "Oh," the reply was, "it is the flood coming down;" and sure enough, before we knew where we were, a great rush of water was upon us, and whisked us away. There

must have been a heavy local storm at the sources of this river, and these rapid mountain streams sometimes come down in this sudden way. Our situation soon seemed very desperate. The heavy top-laden carriage was in a very frail boat which was being whirled about in a sea of raging water. Every moment we expected the carriage to upset, even if the boat was not swamped, and if we lived through the raging of the waters, a short distance below there were rocks and rapids, where we must inevitably have been dashed to pieces. When things were at their worst, my wife, who had great courage in those days, solemnly handed me the baby, and said, "You can swim; take that and save it." I was obliged to reply, "No, I thank you." I should not have had the least chance of doing so if I would. The first diversion was that we were dashed with great violence on a bank in the middle of the river, and the carriage not having upset, as we expected, we had a short respite, but no means of escape. Very soon the river rose once more, and whisked us off the bank; but fortunately this time we were carried over into the smaller of the two streams. The boatmen exerted themselves admirably; the alarm had been raised, and people were running along the bank to rescue us if possible. At last they managed to throw us a rope, and we were hauled to the shore just before we reached the rapids, very thankful for our lives. We were on the wrong side of the river, but there was a travellers' bungalow.

Next day I watched the stream, utterly impassable, and rushing along in enormous waves made by the current, in which no boat could possibly have lived. We had just to wait till it went down, which it did before long, and then we reached Calcutta wet and bedraggled, where we were hospitably received by Henry Harrington—then a Member of Council—and put out to dry.

I accompanied my family as far as Madras, and there stopped to make a little visit to that Presidency. Beyond stopping at Madras, I had never seen anything of the Madras country, and wished to have a look at it. I found my way up to the Neilgherries, where I was very kindly

received by my friends the Ricketts, who were staying there. H. Ricketts was then a member of the Supreme Council. They showed me about the place, and I was much pleased with the Neilgherries as a hill resort, so different from our Himalayan stations. There are no snow mountains, but much greater facilities for getting about, and very pretty flowers, etc. After a few days there, I went down to the Mysore country—visited General Cubbon, the patriarchal Commissioner, and then went out to see a Ryotwar district, which I was enabled to do by the kindness of Major Dobbs, the Deputy-Commissioner. I went on to see one or two Madras districts where a similar system prevailed, and met my old friend and contemporary William Robinson, one of the best of Madras civilians. Returning to Madras I paid a visit to Sir Charles Trevelyan at his Madras country seat of Guindy. At several periods of my life it has been a great pleasure and privilege to have converse with Sir Charles Trevelyan. Upon the whole I was favourably impressed with Madras affairs. Madras used to be called " the benighted Presidency," and perhaps it has had a smaller number of distinguished administrators and go-ahead measures than other parts of India. But I think that the system is good, and that the natives are, or then were, more *en rapport* with ourselves than elsewhere — the Punjaub perhaps excepted. The natives are not proud; we are not troubled by many aristocratic claims; and the English language was much more freely used than elsewhere. There was a system of local government and local institutions of an indigenous character, on which we had engrafted some improvements rather than rudely reversed them in favour of brand-new institutions of our own—as in some other provinces. I have always thought that, though comparatively little is heard of the Madras administration, it must be very interesting. Returning to Calcutta, I spent ten days there, renewed my acquaintance with many old friends, saw something of the heads of the Government, and had a very sociable time. I have never thought that modern improvements have made such a very great difference to Calcutta

as is sometimes alleged. People have managed to live very well there as long as I can remember. But there were some things which rather shocked sensitive minds and have since been put a stop to. One of these was the constant presence of many human corpses in the Hooghly—the stopping of that gave rise to great controversy at the time. On this occasion I met in Calcutta a sister-in-law, a young married woman coming out for the first time, and when we were landing from the steamer in a boat, some obstruction got entangled in the side. She looked over and asked me what it was. To my horror I found it was a dead body. That recalled to my mind breakfasting in the open air on the banks of the Hooghly when I first came to Calcutta, and how the crows used to hop about between the corpses on the river and the breakfast table, on which they made pilfering dashes.

In the end of that year, 1859, I returned to Lucknow, and in the beginning of the following year I made another tour of the Oude districts, taking first those to the west which I had not seen before. I then took the opportunity to make an excursion into the Oude Terai—upon the whole I believe the best shooting country in India—but it was shortly after made over to Nepaul. I got three remarkably fine tigers in the Sultanpore district, the skins of two of which long adorned my house. In those days we could easily get together very effective fields of elephants. Later in the season I joined the Chief Commissioner when he was approaching the eastern part of the Terai, and was in at the death of a few more tigers. On my return to Lucknow after making my official reports, I obtained six months' leave to England, and followed my family there, in company with my widowed brother John.

This was my first visit home since my father's death. My mother, left alone, had been obliged to give up Edenwood, and was settled at Leamington, where she made a centre for her family. All her children were then united for the last time. Before I next returned from India a gap had occurred. My brother Charles had come home from

Bengal, and his marriage with Evelyn Stuart enlivened our visit. My friend John Dalrymple was also at home. After spending a little time in London, I made a flying visit to Scotland. I had a few days' grouse-shooting in August, where as usual I distinguished myself by hitting rapidly a few birds at first and missing all the rest. At Edinburgh I witnessed the famous review in the Queen's Park, where I imbibed an enthusiasm in favour of the volunteer movement which afterwards bore fruit at Lucknow. It had been arranged that I should take over my small patrimonial property which had hitherto been held in trust, pending adjustments under my father's will, and while my mother resided at Edenwood; and I went over to Fife to make the necessary arrangements. Even before modern days of agricultural depression I came to understand how unprofitable it is to hold land yielding 1½ to 2 per cent on its value, while there are burdens to be adjusted bearing 4 per cent. However, I was then able to pay off the sums due to other members of the family, and to obtain the income which land yields to an absentee, such as it was. But I was involved in a troublesome litigation about teinds, the only serious litigation I have ever had, and I hope the last. It was none of my doing—the trustees had got into it in my absence, and I found it extremely difficult to get out of it. The arrangement in Scotland, by which the teinds or tithes are paid by the landlord and not by the tenant, is quite satisfactory; but there is often terrible difficulty about what is called the "allocation of the teinds," that is, the distribution of the payments among the different proprietors of sorts; and matters are aggravated by the Scotch system of sub-infeudation, the absence of any law of limitation in regard to such claims, and the right of Scotch ministers to "augmentations" from time to time. It was this augmentation that was the cause of my trouble with the proprietors of two farms held in feu under me. The question was, who was to pay the augmentation, they or I. I had not time to study the papers till I was on the steamer on my way back to India, and when I did I

expressed the opinion that I was decidedly in the wrong. But I was told that a leading case decided in favour of the Duke of Montrose had made it inevitable to the trustees to act upon it, and when that ground was taken away by a subsequent decision of the House of Lords, the most eminent counsel said that we had another strong point which must be decided since we had gone so far. "Well," I said, "do not fight more than can possibly be helped; give every facility for a judgment, and get one as quickly as possible." However, in the end, we were dragged for seven years through the Court of Session, and then a unanimous decision was given against us with £500 costs. I was told an appeal to the House of Lords was still open to me, but I altogether declined that. The original cause of litigation was only £30 a year. No wonder I have rather a dislike to the law. I had more experience that the complication about teinds was not an accident in this particular case. I had twice again trouble about two smaller properties in another parish, in connection with claims of a remote antiquity, and made against me long after I had parted with the properties. One was very small, and I paid it rather than be troubled about it. In another the advice I got was that the claim to an adjustment of allocated teinds and account of under-payments and over-payments was unanswerable; but the matter had become so old and so infinitely complicated that no human being ever could or would unravel that account, and therefore I had better sit tight, and let those who claimed for over-payments prove their case if they could. I took that advice, and I hope the case will never be proved against me till the Day of Judgment, if it is unravelled then. I am all in favour of transferring the tithe payment to landlords in England, but I think great care will have to be taken to avoid future complications about the liabilities of different proprietors, great and small. Only the other day I was worried about an old tithe payment said to be due from my stables in London, the rights of which I wholly failed to comprehend.

It was in this visit to England that I saw the last of Lord Campbell, and saw him as Lord Chancellor. A shadow was over his home on account of the death in the previous year of his wife, Lady Stratheden; but with his wonderful energy he had taken up the new work of Lord Chancellor at eighty years of age with acknowledged success. The following year, after my return to India, I heard of his sudden death; he was in harness to the last, and to the last he was always kind to me. In September I returned to India, leaving my wife and child with my mother, to follow me a little later. After a short stay with my friends the Seton Karrs at Calcutta, I got back to Lucknow in October. I found there one or two of the last of what I may call the Mutiny *causes célèbres*—the trials of notable people for murder and outrages—still to be disposed of; but within a few weeks I think that function was brought to an end.

I had a visit from Mr. James Wilson, the Financial Member of Council, whom I had previously met, and whose strong intellect made it a great pleasure to exchange views with him. At this time I interested myself much in establishing a volunteer corps at Lucknow. The realities of war were over, but we all felt the advantages of some organisation, and there was a large European and Eurasian community, including the great Martinière school; so we got up a very good corps of adults and cadets, of which I was elected commandant. I was zealous in that office, which I held throughout my stay at Lucknow, and posed on great occasions in a very irregular military costume, which we had devised as most practically effective. I confess that I never became a master of military manœuvres, and some of my evolutions in the field were rather original than orthodox, so much so as once or twice rather to wound the military susceptibilities of the more orthodox members of the corps. I was willing enough to leave most of the parade duties to other officers, but otherwise I continued to do my best to keep the movement alive, and did the addresses and exhortations.

My official work I continued upon the lines which I have already described. After the lapse of a considerable period, I still found that the Sepoy districts were the quietest and the most free from crime of all. The less experienced officers were gradually learning their work. A little later, however, I took occasion to warn the Government that it was necessary to be careful regarding the way in which, in those days, young European or Eurasian gentlemen, not belonging to any particular service and with little or no previous experience, were sometimes pitchforked into responsible positions. I recognised the excellent quality both of the civilians from Haileybury and of the new competition men who were then beginning to come to the front, and also the capacity and usefulness of well-selected officers from the late Indian army. But as regards what are called "uncovenanted" officers, I insisted on the necessity of tests of education and qualification before they were appointed, and before the path of promotion was widely thrown open to them. The appointment by patronage, which was largely practised after the Mutiny, has since been very much restricted, but I am not sure that we are quite rid of it yet, especially in the police department. In the department of Civil Justice there was one reform on which I laid much stress, and which I have not yet mentioned, viz. the appointment of a responsible Clerk of the Court, empowered to conduct the preliminary stages of cases and prepare them for trial, by which much of the evil resulting from the combination of many different powers in the same officers and their somewhat peripatetic habits was minimised. The office in the shape in which I established it was new to our Indian system, and the idea was derived from my own function as Associate of the Court of Queen's Bench, and the somewhat similar functions exercised by the local clerk of peripatetic County Court Judges.

My family returned to Lucknow in the beginning of 1861. The place was rapidly improving and getting over the effects of the Mutiny, and we made ourselves very

comfortable there among many old friends and a good many new ones. Aitken of the Baillie Guard, whom I have already mentioned, brought my wife out; he had an appointment at Lucknow, and eventually became Inspector-General of Police. Capper of the Civil Service had charge of the Lucknow district—his pretty wife, who had been with us in the crisis of the Mutiny near Simla, and Mrs. Aitken, who had gone through all the Baillie Guard siege, increased the amenity of Lucknow. Colonel John Clarke, a sturdy old Punjaub officer, now had high office in Oude. The Rev. J. R. Baldwin, the chaplain, was prominent in many local matters. The Queen's Bays took the place of the 9th Lancers, and we had many friends among them. My letters in those days are full of notices of relations and others coming and going on visits to us. Altogether we seemed to be settling down to a pleasant domestic life at Lucknow. Soon after another child, a son, was born to me.

After my usual cold weather tour I came in to settle down for the hot weather. But then came that common Indian trouble, wives separated and off to the hills, while the husband is left in the plains. Doctors are to the ladies what priests are in Catholic countries; and the advice very often is to be off, if not for the wife's sake, at any rate for the sake of the dear children. My wife, to do her justice, was always ready to stand by me, but she was fidgety and easily alarmed by any suggestion about the children, so somehow or other it was settled they were to go, and they went for the whole hot season till November, to Nynee Tal, not then a very lively station, but the most accessible from Oude. That year, Wingfield, the Chief Commissioner, went on leave to England, but his land-policy was not my policy, and I did not expect or think it desirable on public grounds that I should act for him. I had, however, to submit to a good deal of sympathy from my friends, on account of my being repeatedly passed over. Mr. Yule (Sir George Yule), the acting Chief Commissioner, was a very pleasant man, much senior to me, and we got on extremely well together. In

my wife's absence I found my usual refuge in work; there is no such antidote to the heat, and I did not want for society; so I got through the hot weather. In the autumn I went out into camp on the western borders and made a flying visit to Nynee Tal, and then after helping to receive Lord Canning at Lucknow, returned to camp and welcomed my family on their return from the hills. That autumn, my brother John, who had re-married, came from England, and with his wife and a sister-in-law paid us a long visit at Lucknow, where in the ensuing cold weather there was a gay and lively time. Eventually Lord Canning gave my brother the Commissionership of Saugor in the Central Provinces, an important and very good appointment. My tour of that year came off rather late in the season, and as usual ended with a little shooting in the Terai. I had always done my shooting with elephants, and never but once, on this occasion, tried a drive and a "machan" up a tree. I was very comfortably placed, with a good seat in my tree, but was rather incredulous about that kind of sport. A good deal of game came by, but it was contrary to rule to shoot at it as we were hoping for tigers. As no tigers came I got rather tired of it, and my thoughts wandered; but suddenly I was woke up by very gruff voices to see two tigers with their tails well up going off right under my tree. In haste I fired at them two or three barrels in succession, and missed them with the utmost punctuality. But after that I never could quite laugh at the sportsmen who sit up all night in trees. Before that tour was over, a severe misfortune overtook us. One day our grey mares were too lively, and my wife taking fright jumped out of the carriage and broke her leg. That was bad enough, but there was worse behind. Though the leg was duly set, my wife suffered greatly for weeks, and the fracture was not healed, till at last it turned out that the screw of the cradle in which her leg was fastened, was made too long, and was screwed into her heel, making a great hole and causing all the mischief. Nobody had found it out all that time; and the consequence was that the

case was prolonged for months before the bone was set, and the heel recovered. It was a trouble that lasted all through that hot season.

My principal official occupation in that year, 1862, was introducing into Oude the new Indian Codes of Civil and Criminal Procedure, and the Penal Code. In fact from that time Oude and other provinces ceased to be what used to be called "non-regulation." The law provided that the new Procedure Codes might be introduced with such modifications as we thought necessary, but I did not find much exception to be required, especially in the Criminal Code. In fact we had so worked up to the modern system, that I hardly think there was so much change as in the regulation provinces. The Penal Code I willingly accepted, not that I have ever thought it a very good code—I think it has some faults and many deficiencies—but because it was a comfort to have any regular Criminal Law in a compact form, and made it much easier to instruct and control our officers. There was still another serious difficulty about our laws. Up to that time we had acted upon the doctrine, which I still believe to have been the right one, that in India we had succeeded to the despotic power of the native Governments—were only bound by native class laws, and for all the rest could do as we thought fit till we were restrained and directed by British made laws. On that basis we believed our own rules and orders to be perfectly effective. But some English lawyer picked a hole in this doctrine, and made out that in fact we could do nothing till laws were passed by the Legislature authorising us to do it. That would have created infinite confusion, so in 1861 an Act of Parliament was passed legalising our past rules and orders, but restricting us in future to the regularly authorised legislation. Then came the difficulty of determining which of our past orders were stereotyped as law by the Act of Parliament. We had to distinguish between rules issued as quasi-laws and mere administrative directions. I was much occupied in sifting these out.

The Chief Commissioner being a sort of Governor, I

became in some sense a social leader of the general community; took the chair at meetings and did functions of that sort—I have already mentioned the volunteering. I was in the chair at the meeting which was the origin of the Oude and Rohilcund railway, and made a speech suggesting developments which afterwards came to pass; also took a similar part in meetings for the relief of famine in Northern India and distress in Lancashire, to found a Soldiers' Club, and other such gatherings. I had already paid attention to the Eastern question and gave a lecture on that subject. And I found time for a magazine article on the form of government most suited to India, and for a pamphlet on Indian Finance.

Still, though occupied in many ways, I felt that Oude was not quite the place for me. The system adopted there was not my system, and it rather went against the grain. There was a prospect, too, of questions eventually coming up for judicial decision, which might be more fairly decided by a judge without any political bias who had not prophesied coming difficulties. Altogether I wanted to get away. Even if a turn of the tide of opinion should come, as I felt it would sooner or later, it would have been an ungrateful task to attempt to reverse an existing system. I was by no means unfriendly to the natives of the higher class, far from it; but I have always felt that our *raison d'être* in India is the failure of the native rulers and upper classes, and that our main function is to look to the interests and happiness of the masses. Our system is far from perfect, and it may well be that a really good native ruler is preferred to us. But it is only occasionally that such native rulers are found—such as they are; they were, in native times, selected upon a Darwinian system of the survival of the strongest. Under our system the great evil is that we are bound to insist upon legitimate descent, and have little or no power of selection; we have no security that the legitimate heir will be a good man—he is very often a bad one. My own experience is chiefly of the indigenous aristocrats. I have had but little experience

of the new class of European-educated young rulers of the present day; but I still very greatly doubt whether mere education will ensure a good ruler without some selection enabling us to pass over the bad or the indifferent. My impression is that in the native States, under the present system, their independence and self-government are more rapidly coming to an end than under the old fashions. A few years ago such States as Gwalior and Cashmere had a large amount of independence—now they have none. Cashmere is an instance of what I have said. Gulab Sing was a very strong man; in his successor, Ranbhir Sing, we were unusually fortunate; but in the third generation the whole thing has come to grief, and we have practically assumed the administration.

The difficulty about my getting a transfer from Oude was that I was already so high up that I could hardly take any executive appointment less than a Chief Commissionership. Such appointments are very rare—and as Indian politics then stood, I could hardly feel aggrieved that I was not promoted to the one or two prizes in Lord Canning's gift. However, I prepared for a change, when I might have the chance, and tried to wind up my judicial administrations as creditably as possible. I made a careful report in that year, 1862—the last of a series. My inquiries had not resulted in any sort of Codes of Native Law; I found the conflict of the laws and customs of different sects and classes to be even greater than I anticipated. I printed, however, a collection of papers regarding native laws which threw a good deal of light upon the subject. A more regular publication was a volume which I called *The Laws of the Non-Regulation Provinces*, that is, the British laws and orders having the force of law applicable to Oude and for the most part to other provinces similarly situated. I sifted out all the regular laws which had been especially extended to those provinces before the Act of Parliament of 1861, the orders to which the force of law was given by that Act, and the laws subsequently passed by the legislature; and arranged them methodically with some

explanations. I think that volume remained as a handbook for a considerable period. I also printed one collection of the administrative circulars and judicial directions still in force in Oude, and another of leading decisions in the Oude Courts settling important questions of law and practice. Altogether I hope that I left behind me something of a system of justice, whatever its merits or demerits.

Lord Canning left India in 1862. His successor, Lord Elgin, proved to be friendly to me, and in the absence of an executive appointment such as I should have liked, I accepted an acting Judgeship in the new High Court at Calcutta, taking it merely as a temporary arrangement which would bring me to another scene and to fresh surroundings so long as it lasted. The consequence was that I left Oude in the autumn of 1862. On the occasion of my departure a general feeling was exhibited towards me which gratified me much. I had always the character of being a strict disciplinarian, and had never sacrificed anything to popularity. A large proportion of the Oude officers, too, were brought up in the school which I had not accepted. But as I have found on this and other occasions, when it comes to the last, people very often give a man credit who has done his duty in a straightforward way. A large dinner was given to me, which was attended by all classes, civil, military, and independent, and by some of the native nobles, and at which very kind things were said, which it is not for me to repeat. A good many appreciatory notices accompanied my retirement, in which it was very fully acknowledged that I had shown no fear or favour, and that whether I was right or was wrong in my views I had sacrificed promotion and my personal interests to the principles which I thought were right.

Altogether I have agreeable recollections of Lucknow, and so has my wife. In spite of official crosses and disappointments my life there was a pleasant one, my children were born there, and we left behind us scenes which still dwell in our memories.

Both the city and the European station as they now

are were very much rough-hewed and chalked out by me, though others have added the superstructure. I believe the place is much developed and improved. No doubt the seeds which I planted are now fine spreading trees, and other things are changed in proportion. It so happens that I have never seen Lucknow again since I left it twenty-eight years ago.

Note to Chapter VII

Ryots and rights in land

January 1891.

I HAVE recently come upon some papers showing the discussions which preceded the North-West Province settlement of the revenue and landed rights, published as a selection from the records by the Government of North-West Province in 1872, and I here insert a note taken from these papers as throwing much light on questions to which I refer later on.

The difficulties which a foreign Government had in early days in dealing with the complicated land affairs of vast populations led, as is well known, the Government of Lord Cornwallis' time to make a permanent settlement with any kind of functionaries or farmers intermediate between the Government and the ryots whom they could find, and to give them by law certain proprietary rights. But the settled resident ryots were at the same time declared to have a right of occupancy in their holdings subject only to the established customary dues which the superior holders were strictly prohibited from increasing. There was, however, no record of these inferior holders, or of the rates leviable from them, nor any machinery to give effect to the intentions of the Government for their protection.

The permanent settlement had been completed in Bengal, and in some districts of Madras, but in the early part of the present century there was a reaction leading to the adoption of the ryotwaree system in the south of India—that is, the system of dealing direct with each individual ryot—and to the postponement of the orders for introducing the permanent settlement in the newly-acquired North-West Province. There makeshift arrangements were adopted till the question was seriously taken up about 1820. Sir Thomas Munro was then carrying out his famous ryotwar settlement in Madras with much energy and zeal. He went so far as to put an end to the joint responsi-

bility of villages, even where that system had previously fully prevailed, and to make a settlement with each individual in all cases. Wonderfully much was effected with the means at his disposal, but there was no scientific survey, and everything was done in a very rough native fashion.

The result of the consultations about the North-West Province was the passing of the well-known Regulation VII. of 1822, providing for the detailed settlement which I have mentioned. The idea was not arbitrarily to follow one system, but to inquire fully into all existing rights and customs, and to be guided by the result. There was an important provision that, where there were found to be a variety of interests in the land (superior and inferior) the Government might choose with which to deal, giving a moderate allowance to any superior holder, proved to have a real right, who might be set aside.

In the instructions for giving effect to this Regulation, the Governor-General (the Marquis of Hastings) in Council expresses a strong opinion that "The example of Bengal shows that further securities for the protection of the ryots are indispensable, and no real security can be given unless we ascertain and record the rates payable by the ryots, and maintain the rates established at the settlement during the term of that settlement. A distinct settlement should be made with the ryots, and the Malgoozar (Persian official term, literally 'Revenue payer') should not be allowed to take more." Two or three years later, after considerable local inquiries had been made, Mr. Holt Mackenzie, Secretary to Government and principal author of Regulation VII. of 1822, repeats similar opinions, and says that the more he considers the matter, the more he thinks that in cases where the settlement is not made with a village brotherhood, if a ryotwar settlement be not accepted, the settlement with a Malgoozar should be only a farm of the Government revenue receivable from the ryots, and should infer no proprietary title in the Malgoozar.

But to give effect to the settlement two gentlemen were deputed from the Board of Revenue at Calcutta, who seem to have been wedded to their own system and unable or unwilling to carry out the new system. They clung to the need of superior landlords, and thought the attempt to record all cultivators and their rights a task quite beyond their means. The result was that years passed and nothing material was done. In the end of 1830, Sir Charles Metcalfe, member of the Governor-General's Council, and Vice-President in his absence, comes down on these gentlemen in very strong terms, complaining of the entire failure

to make progress with the settlement. He expresses a strong disbelief in the claims of most of the persons whom the Board desired to make proprietors, and says that wherever village communities are in effective existence, the settlement should be made with them. Where real rights of a superior landlord are found, there should be a sub-settlement to protect the ryots, and where real proprietors are also wanting, he sees no reason why there should not be a ryotwar settlement on Sir Thomas Munro's system.

A hot discussion ensued, lasting for some time. In 1832 the then Governor-General, Lord William Bentinck, sums up his views in a minute. Besides touching on many other points, he deals with the question of ryots' rights. While quite inclined to protect them, he evidently has a belief in the beneficent influence of landlords. There are, he says, no doubt villages in which there are no Zemindars, and where a ryotwaree system might be introduced. As regards other cases he is bound to say that the proceedings under Regulation VII. of 1822 contemplated giving Government Pottahs (leases) to the ryots, but he agrees with the Board that it would not be practicable to do this in all cases, and that it would be mischievous to make a universal compulsory adjustment of rent between landlord and tenant. He recognises, however, the claim to protection of the resident ryots of the Regulations, but remarks upon the indefiniteness of the term, and then lays down this rule: "Wherever a resident cultivator may be found who has paid the same rate for a consecutive period of twelve years, it is fair on every ground to determine that neither he nor his successors shall be subject to any enhanced demand." This is the first official declaration I have seen of the twelve-year rule of occupancy, which afterwards became the subject of so many controversies. In that year, 1832, a distinguished man whose name is indissolubly connected with the North-West Province settlement became a member of the Board of Revenue—Robert Mertins Bird. He had mainly served in the North-West Provinces. He leads off with a minute as radical as Sir C. Metcalfe. He asserts that before our rule there were no proprietors intermediate between the Government and the cultivators, but only various classes of officers appointed for the adjustment and collection of the revenue. "Succeeding to this state of things we have," he says, "proceeded to declare every person connected with the land, except as a cultivator, to be a proprietor." And then finding it necessary to protect the ryots, we have fixed, or attempted to fix, the demands to be made on them. He insists strongly on the duty of doing this

effectually. "But," he goes on, "so singularly do our associations govern our opinions, that many persons consider ryots to have no rights at all, while they hesitate not to take for granted the rights of the host of unproductives in whom no trace of landed property can be found, till our Government, owing to ideas associated with the notions of landed property which prevail in our own country, create it." In another passage he adds: "It is often said that the ryots have no rights and claim no rights. This is true in a sense. If asked the question direct, the common reply is, 'We are the slaves of the Hakim (Ruler); what rights can we possess?'" Yet these very men declare that they hold their fields while they pay their dues, and will think it a great injustice if they are turned out contrary to the custom of the village. He concludes (1) that resident ryots have a right to have their rent fixed by the authority of Government; (2) that they have a right to occupy so long as they pay the rents so fixed; and (3) that such maintenance is necessary to ensure the improvement of the country.

From this the Governor-General somewhat differs. He cannot believe that all resident ryots are entitled to these privileges. He thinks the inquiries show that there are three classes of ryots (1) old ryots, to all intents owners of the land they cultivate; (2) a lower class originally without rights, who acquire in course of time a prescriptive right of occupancy at fixed rates; (3) mere contract tenants. He would scrutinise narrowly all claims to superior rights, and admit them with extreme caution. And where they do exist he would protect the ryots who have a right of occupancy, but he would not create rights independent of contract. "In India, where there is so little intelligence and foresight, were large classes of men thrown on their own resources and removed from connection with their superiors, the consequences might be prejudicial to their own interests as well as to those of the Government. Where there are no superior proprietors the Government may deal direct with the ryots and confer rights on them; but in other cases, if the ryots have not rights already, neither justice nor policy require that we should interfere between them and their superiors." These latter remarks seem to be the aristocratic landlord doctrine, but it is much mitigated by what had gone before in the Governor-General's minute.

In the course of 1833 a Conference was held at Allahabad, after which the Governor-General declares that the discussion has not altered in material points the views he had already set forth. He repeats that resident ryots who have held for a long

series of years are to be secured by a distinct record for the term of the settlement, but mere tenants at will are to be left to make their own bargains.

In consequence of what was then agreed on, energetic measures were taken to start the settlement in real earnest. A short Regulation, IX. of 1833, was passed, making some small amendments in VII. of 1822 (but not touching the material questions above-mentioned), and providing additional machinery in the shape of native Deputy-Collectors. The conduct of the settlement was mainly entrusted to R. M. Bird, and he pushed it through successfully. Notwithstanding his views, the disposition among our officers to think a proprietor (above a mere ryot) a necessity was so strong that the rule against creating new rights was not applied to this grade of property, and, where strong joint communities were not available to take the settlement, some one was almost always found to make into a landlord. Even in the cases in which, in the absence of any pretext for proprietorship, limited settlements were made with farmers, the difficulty was sooner or later got over by turning them into proprietors.

Under a liberal interpretation of "the settled and resident ryot," a large proportion of the cultivators were, however, secured by an authoritative record, and protected by the authority of Government so long as they paid the customary rates. And the details of the settlement which I have already described were very carefully worked out.

CHAPTER VIII

CALCUTTA

THE Bengal High Court, of which I became a Judge in 1862, had been constituted by Act of Parliament a few months before, by an amalgamation of the old Sudder Court with the local Royal Court for Calcutta known as the Supreme Court. The judges of the former had been Indian Civil Servants whose career was not always exclusively judicial. After the amalgamation all the judges were appointed by Her Majesty by Royal Patent, and their position was then independent of the Government and to some extent inconsistent with their transfer to other offices; — but acting appointments were in the gift of the Governor-General, and I accepted an acting appointment at Lord Elgin's hands, by way of change from Oude, in the belief that it would come to a natural end at no very distant date, and that I should then again be free. A few months later, however, my name unexpectedly appeared in the *London Gazette* as appointed by Her Majesty to a permanent Judgeship. It turned out that the Home authorities had assumed that I had wished to stay, and had gazetted me without my consent. That was not at all what I intended, and I at once went to Lord Elgin, who quite understood the situation. It was thought on the whole best that I should make no formal remonstrance, but I received a promise that under the circumstances I should be free to resign and return to the position of a Civil Servant when I desired to do so. That seemed at the time sufficient. In practice, however, it

turned out differently. Under the then existing rules most appointments were "acting" in the first instance; a judge of the High Court would hardly act for an executive officer —and so it happened that I wandered in the judicial wilderness for a long while yet, before I had an opportunity of resigning, and taking something else of a permanent character. My judicial functions were, however, varied by some special missions, and by a good deal of extra official occupation. Lord Elgin, a countryman of my own, I found very civil and agreeable. A man of many experiences in many countries, he was an excellent manager of men; but at that time he was only in Calcutta for the short cold season, in a whirl of official business and social functions; and he was not very keen to talk "shop" out of office hours, so my intercourse with him was rather social than serious, and early in 1863 he left for the hills. My family had been delayed at Lucknow on account of my wife's health; when they arrived they only made a short cold-weather stay in Calcutta, and then they also departed for Simla. At that time only the Governor-General and his immediate staff went to Simla; the Members of Council and the main officers of the Government remained at Calcutta.

Though my wife and I were separated, we both managed to have a tolerably good time in that season of 1863. There is always a large society in Calcutta; as I have said, most of the Members of the Government of India remained there, besides the Bengal Government, my colleagues in the High Court, and many others. I saw a great deal of Sir Henry Maine—it was a very great privilege to enjoy his friendship and intimacy, and at one time I lived with him. I think his intellect was upon the whole the most acute of any man's with whom I have ever had familiar intercourse; and, as his friends well know, there was a charming light side to his character and conversation. I also saw a great deal of the Trevelyan family, who were all in Calcutta that year. I had an opportunity of paying a good many visits to the interior and seeing something of the Bengal country.

At Calcutta, in my wife's absence, I had the command of a phaeton, in which I drove my friends a good deal. At Simla my wife had one of the older houses in a central situation called "Gorton Castle," where she was very comfortable with her old servants and some of those very pleasant hill people about her. The Governor-General and Commander-in-Chief and their staff were all at Simla, and she was very civilly treated. In August I got three months' leave and went up to join her. Though I never cared for Simla for a long residence, it is a very pleasant place for a short time. As it was, I broke the three months by a trip across the Sutlej into the Kangra country, where I found several old friends, and saw some places new to me, in one of the best parts of the Himalayas. I returned from the Kangra hills down the rapids of the Beas on a small raft upon inflated skins, a somewhat exciting experience. A few weeks later poor Lord Elgin followed somewhat the same route into the hills west of Simla, and it was then that the ascent of a hill caused his death, to our very great regret.

In the beginning of the cold season I brought my family back to Calcutta, set up a comfortable house in Chowringhee, and for the next three years they lived and throve there without any serious trouble. I came to like the climate of Calcutta—it is never so hot and dry as at places in the interior, and in the hot weather there is a very pleasant southern breeze which makes life bearable. It is very peculiar that Calcutta southern breeze. In most hot places the night is the difficulty, and where there is a sea-breeze it dies away at night. Calcutta is about 100 miles from the Bay of Bengal, and my theory is that we get up the estuary of the Hooghly a sort of belated sea-breeze which, starting from the sea in the early part of the day, reaches Calcutta towards evening, and blows throughout the night. Be that as it may, my experience is that even unimproved Calcutta, before drainage and waterworks, and when, according to sanitary laws, everybody ought to have died, was a very tolerable place. There were many old residents who came down from the times before the hills were invented; and it

has been remarked that, when there was no means of getting away, a succession of Governors-General, judges sent out from England, and other unacclimatised persons, took very little harm. My own children got on very well there. We drank the water of a favourite tank which was said to owe its salubrity to the presence of a large number of fine fish in it, who kept it sweet during the many stagnant months when it received no fresh supply of water at all. It was not till they got home that my family lived the life of hunted hares on account of the diseases which British children are bound to go through. The fact is that there are a certain number of people with whom Calcutta violently disagrees, but those who are not so affected live very well and are sometimes the better for the climate.

Soon after we returned to Calcutta we welcomed our old Punjaub master, Sir John Lawrence, as Governor-General. He did not however then remain long, and when he went to the hills he initiated the system of taking the whole Government of India with him — Members of Council, Secretaries, heads of all departments. That was practically the removal of the capital of India from Calcutta. From that time, more and more the Government of India has had no fixed home there, but only comes like a bird of passage for a visit in the winter. The Government does not stay in Calcutta long enough to settle down to sober prolonged work. It has but a short legislative session there. Only at Simla is there opportunity for careful sedentary work— even much of the legislation is now done there, and there the members of the supreme Government practically have their homes.

This change has detracted much from the importance of Calcutta, and has taken away many of the best people, still many were left, and it was still a pleasant enough place. My colleagues in the High Court were very agreeable and friendly, and there were many others besides. The Bombay route to and from England was not yet fully established— people still came by Calcutta, and we had many friends and relations as visitors in our house. On one occasion, both

my brothers and their wives from opposite ends of the country were there at the same time, and we were all photographed together. It being then my lot to do judicial work, I went into it, in a sense, *con amore*. The Calcutta High Court recently established by an amalgamation of the Crown and Company's Courts, was a very large and important body, there being fifteen judges in all. The Chief Justice and four or five judges were English lawyers. The majority of the Court were Indian civilians, and there was one native judge, who, at that time, happened to be a Cashmeree Pundit. He was a most excellent and estimable man. I do not instance him as a man of very peculiar brilliancy, but still it was curious that in Calcutta, in the Bengal Court, the first native judge who had won his way from the rank of pleaders should be a Cashmeree. It shows what a pushing and enterprising people the Cashmerees are—they are found all over the country. Nowadays, Bengalees, in virtue of English education, find their way to distant parts of India, but I never heard of their doing so in native times. The Chief Justice of the High Court, Sir Barnes Peacock, was a very notable man. He was, I believe, well known in the legal profession before he came to India as legal Member of Council in 1852. For a good many years in that capacity he was a great strength to the Government, both as an adviser and as an advocate and supporter of their measures, and besides revising the Penal Code before its final enactment, he had a principal hand in the excellent Codes of Criminal and Civil Procedure. When he became Chief Justice of the Supreme Court in 1859, he was for a time also retained as a Member of the Legislative Council, under the then constitution of that body. But in his independent position, the ex-representative of the Government proved to have a strength and will of his own very troublesome to the Government, and the next Act of Parliament, revising the constitution of the Councils and excluding the judges, was popularly said to be an Act to abolish Sir Barnes Peacock. However, the result was to give all his strength more completely to the new High Court, which

owed much of its successful start to his great abilities. We were very fortunate, too, in the other lawyer judges and in my civilian colleagues;—we all got on very well together, and the Court was, I think, on the whole quite a success. Before the present new High Court was built, the Appellate work was done in the very comfortable old Court-house at Alipore, now a hospital. I came to like pretty well the regular work and regular release from work at regular hours. I found that I could throw my mind into the cases before me and take much interest in them. My work was almost entirely in the Appellate Courts. The local Calcutta Court, which succeeded to the functions of the old Supreme Court, was still very much regulated by English procedure, and the civilian judges were scarcely allowed to enter there. Being a nominal barrister, I was on one occasion asked to take the Criminal Sessions, and what I saw there did not increase my respect for the English procedure. I remember a case in which two men were accused of a robbery, and their defence practically was a mutual recrimination, each throwing it entirely upon the other. One was defended by a barrister, one was not. The counsel made an eloquent speech in favour of his client, showing conclusively how innocent he was and how entirely any possible guilt must rest with the other prisoner. Then the clerk called upon me to sum up. I suggested that the other prisoner, rough as he looked, might have something to say for himself. That seemed rather an unexpected and improbable suggestion, but it was admitted that if he could say anything it was his right to do so; so I called upon him to speak if he had anything to say, when to the surprise of every one he burst out with a fluent and vivacious defence, which was so effective that the jury at once acquitted him, and convicted the other man. The Appellate side of the Court received appeals from all the Courts of the country, and the cases were very well argued by the very acute native pleaders and a few English barristers. The distribution of the work rested entirely with the Chief Justice. My work being limited and ending when I left Court, instead of being end-

less as in previous appointments, I was led to take to extra-official pursuits out of office hours. I had also a regular long vacation, and established the habit of autumn tours in pursuit of new scenes and new knowledge, which I continued for many years. I have never been used to keep a regular journal, but I have always done so in a rough way during these tours, for I am of a very inquiring turn of mind, and I wanted to recall the things I picked up. Besides occasional literary occupations of various kinds, I made during these years a kind of hobby of the science of ethnology, for which India, and the Bengal Province especially, afforded a large field, and which I prosecuted in connection with the Bengal Asiatic Society, a body which has done much excellent work in its time. My tours added much to my knowledge of this subject. The most important question in the High Court in my time, and that which excited the greatest public interest, was that involved in what was known as the Great Rent case. Just then there was a great struggle on the land question in Bengal, large European interests as well as native interests were involved, and all classes took an interest in this Great Rent case. It is well then that I should try to explain what it was.

I have alluded to the settlement of 1793, when the Land Revenue was permanently settled and the ryots were protected in their rights so far as mere legal enactment could protect them. That settlement is always connected with the name of Lord Cornwallis, and no doubt in presiding over and taking part in what was done, he deserves much of the credit; but the provisions in favour of the ryots were founded on much older practices, and had a place in earlier regulations, which were consolidated and elaborated by very experienced men—the old servants of the Company, the chief of whom, Mr. Shore, afterwards became Governor-General, and Lord Teignmouth. As one of the English Judges of the High Court remarked, the Land Laws of 1793 "teem with provisions quite incompatible with any notion of the Zemindar being absolute proprietor." He was bound to maintain the settled resident ryots in their holdings, and

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could not eject them except by due process of law for failure of their obligations. They were liable to pay only the customary rent "at the Pergunnah or established rates." If any dispute arose regarding those rates they were to be judicially "determined in the Court of the district in which the lands were situated, according to the rates established in the Pergunnah (subdivision) for lands of the same description and quality as those respecting which the dispute arose." So far those provisions were extremely clear. But no record was made of the names and holdings of the ryots;—in course of time many changes took place, and some doubts arose as to the effect of the law in regard to ryots who had subsequently settled or who had changed their lands. In fact, however, the Bengal Zemindars (apart from those of Behar) were not very pushing people—very often they were non-resident. Bengal remained in a sense more native than any other province, and they were generally content to take the customary rents, with such extra legal cesses and occasional benevolences as they could get. The ryots, too, being in many districts largely Mahomedan, were not so subservient as low-caste Hindoos, and were much given to land leagues and such expedients to maintain their rights, both out of court and in court. And so it happened that the Bengal ryots held their own tolerably well. The general course of judicial decisions tended to the view that when a man had once been allowed to settle himself as a resident ryot, and to build and improve without special contract, he acquired the position of a resident ryot under the regulations, and that if during the Indian term of limitation, viz. twelve years, no special contract was exacted from him, his status was established. At any rate that was the rule which had been followed in the North-Western Provinces, and was the compromise adopted to settle all doubts and difficulties when, as has been already mentioned, the well-known Act X. of 1859 was passed in the early part of that year, without any very serious opposition. The preamble of that Act recites that it is a consolidation of the existing law with some modifications, and it is mainly declaratory in its terms. The old ryots of the time of the per-

manent settlement, and all those whose long holding raised a reasonable presumption of such a tenure, were declared to be entitled to hold for ever at the existing rates. All other settled and resident ryots who have held or may hold land, other than the demesne lands of the Zemindars, for twelve years without special contract, were declared to have a right of occupancy, that is, fixity of tenure, and to be entitled to hold at fair and equitable rates. The existing rates could only be enhanced, first, for excess land; secondly, if found to be below the prevailing rates; and thirdly, on account of the increased value of the produce, or increase in the productive powers of the land (not effected by the ryots) since the rent was last fixed. The first two grounds of increase have always been freely admitted. An increase of productive power due to improvements effected by the Zemindar—irrigation, drainage, or the like—would be admitted to be a good ground of enhancement. The great subject of dispute has been regarding one ground of enhancement only, viz. the increased value of the produce. That was in some sense a new ground, and many people thought it unfair to the ryots, who were properly only liable to pay the customary Pergunnah rates. But then it was pointed out that the foundation of rent-rates was a share of the produce, which would increase in value by a self-acting process as prices went up; and that, as in Bengal these rates had been long commuted for money, it was not an inequitable arrangement to increase the money rates in proportion to prices. At any rate that was the rule established by the new law. Still, in the absence of official record, the increase of prices, since the last fixing of the rent, was difficult to prove, and the Bengal Zemindars, as has been already said, were not very enterprising.

But meantime another important factor had appeared. Though the Zemindars were not enterprising themselves, they were ready enough to transfer their rights to strong-handed indigo-planters holding under them. Indigo had become a very important product in Bengal. The indigo-planters did not usually press for very high rents, but

they used their superior position, delegated from the Zemindar, to make the ryots grow indigo and sell it at the prices fixed by the planters, exacting it as a sort of feudal right, rather than on voluntary commercial principles. It was an unwholesome system, but long went on without any serious outbreak. Eventually, however, when prices improved and other products became more profitable, the ryots felt very much aggrieved at being compelled to sow indigo on the planters' own terms. About the time when the rent question was settled by the new law, there had been a combination of the ryots, and an outbreak against the indigo system known as the "Indigo rebellion." Attention being thus violently called to the grievance, a strong commission was appointed to inquire into the matter. They found that great abuses and much compulsion had existed. The power of the planters to compel the ryots to furnish their tale of indigo was completely brought to an end.

The planters then said, Well, at any rate, if you don't supply us with indigo in the old fashion, we will make it hot for you by raising your rents. That they tried to do, while the ryots, relying on the law, resisted, and put the planters to the proof of grounds of enhancement. An important test-case between a planter and a ryot came on appeal before a Divisional Bench of the High Court, of which Sir Barnes Peacock, the Chief Justice, was the leading member. It was proved that there had been an increase in the value of the produce, and the question was, what was to be the measure of increase of rent. The judgment delivered by the Chief Justice decided that an increase of the value of produce being shown, there was no limit to the increase of rent which could be demanded except the net profit of the cultivator or rack-rent. Entering into a calculation of the value of produce and cost of production, and deducting the one from the other, he found that the difference left a profit greater than the rent claimed by the planter, and accordingly decreed the claim in full.

The Chief Justice founded his decision principally on Act X. of 1859, taken by itself, and in that connection he

expressed the opinion that section 6 of the Act, declaring that twelve-year resident ryots had a right of occupancy, was an innovation and a derogation from the rights of the landlord which ought to be construed very strictly. That opinion, with the great authority of the Chief Justice, had a very wide effect, even beyond the provinces to which the jurisdiction of the Calcutta Court extended. Afterwards another similar case came before the Divisional Bench on which I sat. I did not agree with the Chief Justice's opinion; I thought that the provisions of Act X. were mainly declaratory, and founded on the old law and custom; and that we must look behind that Act to the sources from which it was derived. Looking to the origin of the existing rents as originally founded on a share of the produce, I thought that, when the ground of enhancement was increased value of the produce, that ground should operate in proportion to the increased value and no more. The rent was, in my view, a customary rent liable to a limited increase, and not a competition or rack-rent. My colleague on the bench agreed with me in this opinion. Seeing the difference which had thus arisen between two divisional benches, we stated certain questions involving the difference for the decision of the High Court as a whole, and it was accordingly arranged that the full High Court should sit to determine the matter. Great importance was attributed to the question, and preparations were made for a very solemn hearing before the fifteen judges, all sitting together in a Court specially arranged for them in the great Town Hall. After much discussion, very elaborate judgments were delivered by the various judges *seriatim*. They contained a vast amount of learning on the subject, going back into the whole history of land tenure in Bengal, land legislation, and the course of judicial decisions on the subject. The collected judgments are a perfect mine of information on the whole subject. The Chief Justice was of the same opinion still; but all the other fourteen judges, whether lawyer, civilian, or native, took the opposite view. The result of their judgments was to establish what was

called the rule of proportion, *i.e.* that as the landlord could only enhance for a certain cause, he could only enhance in the same degree or proportion in which the cause operated. That is the final decision of the Great Rent case. It fully established the rights of the occupancy ryots as privileged tenants holding at a regulated rent; and their position has never since been shaken. Many attempts were made to find loopholes by which their position might be assailed, but in subsequent years the general course of judicial decision continued to be favourable to the ryots, and all ideas detracting seriously from their legal position passed away. Still attempts were made in some places to countermine them by exacting special contracts, and changing their lands—more especially in Behar, where there were strong Zemindars, with poor low-caste ryots, and the lands were largely leased to indigo-planters, whom the Bengal indigo rebellion had not reached.

As during my subsequent government of Bengal I did not undertake any amendment of the land law, I will here mention the ultimate result. In my time I did not think the question ripe for a new law, nor the political circumstances of the time sufficiently favourable. The defects of the existing law were not yet fully developed, and I thought that in Bengal at any rate, the ryots were sufficiently holding their own. I confess, however, that I had Behar considerably on my conscience when I left India. In subsequent years, Act X. of 1859 came to be rather honeycombed and worn out by legal friction. Many points arose which required settlement, and on both sides there were demands for legislation. Very exhaustive inquiries were made by strong Commissions and otherwise during several years. It certainly turned out that in Behar, at any rate, partly from designed attack, partly from want of independence in the ryots, and partly from the indigo system of rotation, which made it necessary to change the land for indigo purposes, most of the ryots had been deprived of the rights which the law intended to give them. A clear case for revised legislation was made out; on account of the jurisdic-

tion of the High Court, and for other reasons it was necessary to go to the Legislative Council of the Governor-General for an Amending Act. The occasion was taken to revise and consolidate the law with great elaboration. The main change was to protect the ryots, whose land had been changed while they had continuously cultivated. It was recognised that change of fields does not, by Indian custom, involve a loss of right, but is rather consistent with the old fashion of periodical redistribution. The new bill provided that ryots who have held land continuously for the prescribed period of twelve years should have the right of occupancy, even though their particular fields had been changed. Some other changes were made, and explanatory provisions to clear up doubts, and the whole law was consolidated into a great agrarian code. The questions involved in the proposed new law ripened for decision in Lord Ripon's time, but he left India without settling them. It is, I think, greatly to the credit of Lord Dufferin that he accepted without demur the very difficult position of facing these long-agitated land questions very soon after his arrival, and putting aside his own honest ante-tenant-right proclivities in Ireland, took the matter as he found it in India, and made the best of it. The law securing the position of the ryots was finally passed by Lord Dufferin's Council, and approved by him. It is conceived in a very liberal spirit, and appears to have been effective. Serious complaints have not since been heard on either side. Although the Bengal provinces have not yet been surveyed, nor rights recorded, I understand that some good samples taken of parts of Behar show that, under the new law, by far the greater proportion of the ryots have protection and privilege. I hope that the position of the cultivators of the soil in the great provinces under the Government of Bengal is now well assured. The permanent settlement certainly involves a large loss of revenue to the State;—but under cover of it there has arisen, by means of a system of sub-division and sub-infeudation, a great proprietary middle-class, and a very large class of *de facto* peasant-proprietors, who are to all intents and purposes

owners of the soil they cultivate. The ordinary ryots are as well protected as in any part of India. On the whole, the condition of agrarian tenures is, I think, healthy, and rents are not excessive.

The business of the Civil Courts gave me an insight into Bengal institutions and social habits which were new to me; perhaps some phases are not so well seen by executive officers, and this experience came useful to me in after days. Three great new codes had then come into operation in Bengal—the Code of Civil Procedure, the Penal Code, and the Code of Criminal Procedure. These three were of various degrees of excellence, but they all had the advantage of being compact and accessible to laymen. We have given India the very doubtful advantage of a very full equipment of lawyers, but, at all events, it is better that the law should be codified than remain a mystery in the hands of a legal caste. I am told that in France there is a popular knowledge of law which is unknown in this country.

The Indian Codes have been spoken of as the essence of English law. I have no special love for that law, and dislike much of the English procedure, especially the criminal procedure; and I hope that this is not so to an injurious extent. I do not recognise a slavish following of English law in these first codes, whatever may be the case in the latter codes of substantive Civil Law. No doubt the principles at the bottom of all laws are a good deal the same, and the codes may be tinctured with an English flavour, but the procedure is certainly very much better. Modern English improvements apart, the civil procedure is more like the Scotch, and the code, if not above criticism, was a great improvement on what had gone before.

The Penal Code is, I believe, in many respects original in its construction, and I daresay the framework may owe a good deal to the hand of Macaulay, who had the advantage that he was not really an English lawyer. Years of experience of the Penal Code, however, confirm me in the view that with all the advantages of a code it is not really very good. For instance I do not think the definition of

murder is very successful, but perhaps no one ever has succeeded in defining murder well. Then the concrete offence of burglary is perhaps too scientifically resolved into separate elements. And especially throughout the more serious offences I think that the element of intention is made too prominent in the definitions of crime, as distinguished from a moral code. If a man knocks another on the head and kills him, it rather shocks people that he should only be punished for the punch on the head which he intended; and justice will not be done unless some extra punishment is given to all who commit assaults, to make up a cumulative punishment for the cases which may prove fatal. In practice there have been a good many scandals for want of proof of intention, when very serious results have followed. Then in the code the secondary offences bordering on civil wrongs, such as defamation and insult and such-like, are defined in a very vague and wide manner, rather suggesting that the latter part of the work was left in a somewhat unfinished state. I think these parts of the code open a door to a good deal of injurious litigation.

The Criminal Procedure Code is, in my view, far the best of all, really very good indeed. It is quite above the commonplace prejudices of English law, and follows the view that the Criminal Law is an engine for the protection of the public against crime by discovering and punishing criminals; and neither a game in which fair-play is to be given to a criminal as to a fox who may be hunted but not shot, nor a suspicious proceeding jealously guarded to protect a free people against a tyrannical government. In India we have no clap-trap maxims about a man not being bound to criminate himself and the like, and errors may be set right by appeal or revision whether the error be to the prejudice of the prosecution or of the defence. The Procedure Code of 1861 as amended in 1872 was, I think, quite a model. I am only afraid that in subsequent years some of the prejudicial ideas of English lawyers have been allowed to creep in.

While I was in Calcutta I published an anonymous

article upon the administration of justice in India, in which I took a pessimist view. After dwelling on a good many points already mentioned, I said that we have accustomed the natives to the game of law, and they play it with spirit. But, I asked, are we quite clear whether we are administering real justice or to some extent feeding a morbid appetite for the game? I expressed the opinion that we had too many and somewhat too aggressive lawyers, and that they were not sufficiently under the control of the judges.

I have an extremely pleasant recollection of my colleagues in the High Court. Among the English judges, besides the distinguished Chief Justice whom I have already mentioned, there were Norman, a dear friend of mine, who was afterwards assassinated when he was acting Chief Justice; Levinge, who died in India; Morgan and Phear, who happily survive. Then among the civilians there were Trevor, a very learned man, and a depositary of a mass of the old law of the country; my very old friend Seton Karr, Elphinstone and Louis Jackson, and others. The Court was really quite a happy family.

As a judge I had not much official connection with the Governor-General, Sir John Lawrence, but I had a good deal of personal intercourse with him; and as I have said, I was employed by the Government on some special missions, I could not but see and mark a good deal of his career. He came out after considerable strain had been put upon his constitution by bad health, and when he was not so young as he had been; he described himself as a cracked pot which would never be quite sound again. In this he altogether exaggerated—he was, in fact, a most excellent Governor-General. But in new and somewhat ungrateful surroundings he was not perhaps so strong to face all difficulties as he might have been a few years before. It happened that some Members of his Council were in strong official opposition to him. I have already mentioned Grey, who took a course very adverse to the Governor-General in the Oude matter and in some other matters. Grey was neither

showy nor an aggressive man, but he had a good deal of quiet strength in Council and upon paper, and he had influential connections at home. Durand was an able man who had had a very chequered career. He was of a polemical disposition, and had been rather too much connected with the press. His opposition to the Governor-General may be said to have been sometimes bitter, and was in truth very constant. There is no doubt that Sir John Lawrence, who had been accustomed to an absolute *rôle*, was much hampered by this opposition in his Council. The position of a Governor-General or a Governor with a council appointed by an independent authority must always be very different from that of a single administrator. Lord Lawrence came into office, too, just at the time when the tide of opinion in favour of the aristocratic system had risen high, and the advocates of that system alleged the authority of Lord Canning, in which they were not always justified. Lawrence was a great and very powerful talker, but he had a curious and extreme nervousness about public speaking. I used to tell him that if he only talked on his legs as he talked on a chair, he would be an admirable orator. Like many a man who has been something of a hero and accustomed to eulogy, I think he rather winced under any hostile criticism from the press, and there was a good deal of it in those days. On one or two occasions he rather gave in to interested agitation more than I should have expected. In spite of all these difficulties he did a very large amount of very excellent work. No man could have had a clearer head or sounder views. His sympathies were all for the people, and if he was a little hard on the upper classes in the Punjaub, that feeling was latterly much softened down. In the early part of Sir John Lawrence's reign he sent me on a mission to Agra to inquire into matters connected with the chief or Sudder Court, and to advise both the judges and the Government on that subject, and on the whole judicial system of the North-West Provinces. There was as yet no High Court there. The Sudder Court sat at Agra with very insufficient accommodation among the ruins left by the

Mutiny, for, nothing having been settled as to the future, the destroyed buildings had not been replaced.

Things were then in a transition state from the old system to a regular legal system. There were heavy arrears and considerable difficulties in the Sudder Court. The district judges were not as good as they should have been. There was not sufficient temptation to the best men to serve in the judicial line when they could get into any other, and it being necessary to get able men for the Sudder Court, they were sometimes taken from the ranks of the district judges, when they had little experience as civil judges, lest they should go off to another department of the service. Formerly they could control the native pleaders; but Agra was then beginning to be overrun with European pleaders and law agents, whom the judges found it difficult adequately to control. A detestable practice had then sprung up, which I am afraid lasted long, viz. that a set of people who had failed in other professions, or got into trouble in the regular services of the Government, turned themselves into "law agents" for every native who would pay them, claimed privileges as Europeans, and became very unmanageable.

My position was a delicate one in regard to the judges, who were all men senior to me in the service, but they were old friends. I was able by conference and advice, comparing their system with that of the High Court, and making suggestions founded on my experience of the latter, to induce them to effect many improvements; so, on the whole, my mission came off successfully. I made an exhaustive report, pointing out many defects and difficulties in the judicial system; but at the same time I expressed my conviction that the executive work of superintending and controlling the native courts was very efficiently performed in the North-West Provinces by the Sudder judges, in whom it was vested, the only drawback being that it took up a great deal of their time. Little as I like lawyers and legalities, I confess that I saw the need of a more regular legal element to aid in controlling lawyers or pretended lawyers. I also recommended the appointment of extra judges to wipe off

the arrears, and made various recommendations involving some financial enlargement. My recommendations were generally accepted, and prepared the way for the establishment a couple of years later of the High Courts for the North-West Provinces located at Allahabad, which has been since the Mutiny the seat of Government in those provinces.

Sir John Lawrence had an idea of getting me made Chief Justice of the North-West Provinces, but I did not encourage that; I did not wish to continue in the judicial line, and I had also a feeling that it might be considered a sort of evasion of the law if I were appointed. The Act of Parliament requires that the Chief Justice of every High Court should be a British barrister. I had been called after eating my dinners when I was associate, but I was only a nominal barrister, and always rather disclaimed the character. I have always thought it an abominable injustice and blot, that, since the establishment of High Courts in which English and Indian judges sit together, the Chief Justice must by law be a barrister, and the Indian civilian judges, however distinguished, are positively excluded. An Indian soldier may be Commander-in-Chief, an Indian civilian may be Governor-General, but he cannot be Chief Justice of a High Court. It is degrading to the judicial service, and must tend to keep the best men out of it. I do not believe in the clap-trap about "trained lawyers," meaning only those who have passed the Inns of Court.

Soon after I had completed my mission to Agra we came to the long vacation (an institution previously unknown in India, but which has come in with the lawyers), and I started on one of my autumn tours in September 1864, taking a round by Madras and Bombay, and back by the Central Provinces.

At Madras I had a great deal of talk on Madras affairs with some of the most distinguished Madras civilians—Holloway, a very well known judge; Sim, a revenue man, a contemporary of mine at Haileybury; and Robert Dalzell, a

well-known Fife man, and others. The impression I gathered still was that the foundation of Madras arrangements was good, that the Ryotwaree Settlement was good in principle, and that the Madras village and district institutions were decidedly good. But the new survey and settlement—cadastral survey and detailed record—were progressing very slowly, and both then and ever since I have been unable to get any very satisfactory information as to the working of the Madras land system — *e.g.* how far ryotwar properties may have in any cases coagulated into larger properties; whether any sub-tenancies have sprung up; if so, on what terms the sub-tenants hold, and matters of that kind. The fact is that since Sir Thomas Munro's time there never has been what may be called a professional Indian administrator at the head of the Government of Madras. No one has sprung up to deal with affairs there in a very radical way, and the country has been, I think, in a sense only half administered. There have been several very good political men as Governors, but they were only just coming to understand work very new to them when their functions came to an end. And there have been several lords and others not very distinguished. I cannot think that there has been the same vivid dealing with Indian questions which we find in other provinces. I gathered that the old friction between the minor Governments and the Government of India still subsisted, and that it seemed to be still a relief to the feelings of the Madras men to call the Government of India "Bengal."

On my former visit to Madras I had been principally in the ryotwar districts — this time I skimmed lightly through that country, and went on to the western districts, to Beypore and Calicut. I was detained in those western districts of Madras longer than I expected, waiting for a steamer; but I was much interested in the people I found there, and their peculiar systems. It is an advantage of being a Haileybury civilian and a Scotchman that one used to find oneself pretty much at home in most parts of India, or in most parts of the world for that matter, and I

discovered in those districts several friendly Madras civilians who assisted me in the search for information. The leading indigenous people are the Nairs, generally reputed to be polyandrists; but I believe that in most cases the polyandry is scarcely a practical fact, and that the real indubitable feature is the succession through females—a very old institution, much older than our modern marriage and male succession. Another leading people in those parts are the Moplahs, who got the reputation of being very dangerous fanatics and rebels. They certainly have broken out sometimes, but for all that they are a very superior people, with houses and homesteads much superior to those of the ordinary natives. The truth is that they have a cross of that Arab blood, which all over the southern seas seems to elevate and improve the people who have it.

There is a curious story told in Sir Thomas Munro's life, showing how little new there is under the sun, and what an old institution boycotting is in India, as well as strikes, plan of campaign, and all the rest of it. When Sir Thomas first took possession of Malabar, and proceeded to make the first settlement arrangements there, he had some difference with the natives regarding their privileges and did not concede all they wanted, upon which they boycotted him very severely, to that extent that his Government establishments could hardly get any food, and were almost starved. A curious feature upon that coast, which I observed when on the look-out for my steamer, was that the shore was thickly strewn with dead sharks, with the livers cut out. I understand that cod-liver oil is chiefly made of sharks' livers, the provision of which is an extensive industry in those parts.

Presently I got a coasting steamer for Bombay, touching at various points on the way up, where I had an opportunity of landing and looking about me. At Bombay I again found friendly civilians and High Court judges, and was able to do the place as well as an indifferent climate would permit. The scenery around Bombay is certainly very pretty, but in point of climate I believe the great advantage it pos-

sesses is the facility to get away; a very few hours gives a Bombay resident a complete change. The natives of Bombay are a very curious mixture of races—Hindoo and Mahomedan, Indian, Parsee, and extra-Indian, that is, people from the Persian Gulf and thereabouts, or crossed with that blood. Undoubtedly the Bombay natives have a great advantage over those of Calcutta in energy and practical arts. In Calcutta the European is generally predominant in these matters; in Bombay the natives have a much larger share. The mercantile element is very prominent in Bombay, and they supply the energetic traders who push their way all over the coasts of Africa, and by their superior trading qualities excite the jealousy of their white rivals in South Africa. Bombay was then exceedingly prosperous on account of the American war, and was indulging in that fever of speculation which so notoriously demoralised every one. One mercantile gentleman who was at the head of it, and had the giving away of the shares on which enormous premiums were realised, was a sort of deity of the day. But all these things soon after came to grief. By counting in the whole population of the islands, Bombay makes itself out to be the largest city in India, and, I think, the second in the British Empire. But the comparison with Calcutta is scarcely fair, for Calcutta is only the central city; there are great suburban and transpontine municipalities adjoining it as closely as Southwark and Paddington adjoin London, though not counted in the city. I did not think so very much of Bombay, and many of the arrangements for travellers, transport, cabs, etc., seemed then to be detestable. But apparently the ambitious Bombayites have in recent years gone ahead immensely in the way of fine buildings, etc.

From Bombay I went on to Poonah, where the Government and many of the chief departmental officers then were. My old acquaintance, Sir Bartle Frere, received me very kindly, as he always did, and my contemporary, Barrow Ellis, and others, did much to assist me and make my stay agreeable. I had a great deal of interesting talk upon

Bombay matters, and several rides into the interior country. I thought it rather dry and bare-looking, the cultivation fair, but not like the Gangetic provinces. Then I went a longer expedition away to the Sattara district, and up to the vicinity of Mahableshwar, and on that occasion saw a good deal of the country, and the methods of managing it.

I was much struck by what I learned of the climate of Poonah. Throughout the rainy season — from June to October—it is peculiarly delightful. The monsoon breaks very heavily on the Western Ghats (hills), so heavily as to make them quite uninhabitable at that season; but they so completely break the rain-clouds, that but a very few miles beyond there is little rain, and that very light. That is the position of Poonah. It is not only at a considerable elevation—something over 2000 feet—but it gets the western breezes, thoroughly cooled and purified by the rain which falls upon the Ghats. Thus it is that it is so pleasant at a season when all the hill-stations are detestable, and the plains only better by comparison, since they suffer from a hot and excessive moisture like the air of a hot-house. At other seasons Poonah is, I believe, tolerable, but not very good. The cold weather climate does not seem to be much liked. In the short hot weather before the rains commence, Mahableshwar and other places on the Western Ghats are delightful, and very easily accessible. Poonah is the head-quarters of the Mahratta Brahmins, a very remarkable race. They and the Cashmeree Pundits are, I think, the cleverest of the whole race of Brahminical Hindoos, though no doubt the mercantile classes are as clever as possible in their own department, and the Khatrees of the Punjaub cannot be beaten in many departments. The Bombay people use the Nagree or Sanscrit character, and maintain a Hindooised system, giving in to Persian characteristics, introduced by the Mahomedans, less than in most parts of India. But Hindoostanee is a good deal used as a *lingua franca*, and I noticed that the farther we get from Hindoostan, the more Persian there is in the Hindoostanee, and the farther it is removed from the Hindee. Leaving Poonah, I took a look

at the hill-station of Matheran, immediately overlooking Bombay, and thought it very nice indeed. From thence I went on to the Nassick district, where I, soon afterwards, proposed to fix the capital of India. I found it greener than Poonah, with better cultivation. I was particularly struck by the fine native vineyards trained high in the Italian style. It is the only part of India (except Cashmere) where I have seen anything of the kind. They have, it seems, a peculiar way of picking off the first flowers, and so preventing the vines from fruiting prematurely, when the rain might spoil them, and a second flowering produces abundant fruit in the autumn. The climate of Nassick is of the same character as that of Poonah, but rather better, and it is much better watered. The most elevated parts of the Western Ghats are quite as near.

Thence I went on through the great Kandeish district, and joined R. Temple, whom I had met at Poonah, and who had kindly undertaken to convoy me to his kingdom of the Central Provinces. I was much struck in passing by the very small size of the cotton plant, which produces the best Bombay cotton. It is a great contrast to the over-luxuriant plant which grows in Upper India, and is also, I think, much smaller than the American plant. Altogether I was pleased with my visit to the Bombay Presidency. The Brahmins are quite the dominant people throughout that Presidency, but the main body of the Bombay population consists of the Koonbees or Koormees, the great agricultural class of all the central regions of India. The famous Mahrattas sprang from this class, though it is hard to say what is a Mahratta. The modern Mahratta armies were full of all sorts of people, many of them Mahomedans. There is a very considerable aboriginal population in the Bombay districts—Bheels, and semi-converted Kolees, and Mhars—but none of them have any aboriginal language of their own. Their position in regard to the rest of the population is not very clear. All through the Bombay districts there is a strong mercantile element; the pushing Marwarees are present everywhere.

The Bombay administration is a comparatively small one, but it has a decided character of its own. The Bombay Government is, in several ways, not so advantageous or so pleasant as that of Madras, and it has not been so exclusively reserved for English politicians and lords. Several distinguished Indian administrators have held the post of Governor of Bombay. And among the Bombay officers there sprang up an energetic school which distinguished itself by the improved land settlement of Bombay—a settlement which has been adopted as an example for Madras and other ryotwar territories. There are considerable varieties of tenure in Bombay, some of them approximating to those which prevail in Upper India; but it is to the ryotwar district, principally in the Deccan, that the new Bombay system is specially adapted. It amounts to this, that the ryotwar principle established by Sir Thomas Munro being accepted, it is carried into efficient practice by means of an improved survey and detailed record of holdings and rights according to the system adopted in the North Indian Provinces. That system is, however, considerably varied to meet the altered circumstances. The field survey is conducted on an improved and more accurate method. All cultivators are levelled up and, subject to the payment of the Government Land Revenue, are made absolute proprietors without any limitation or tutelage whatever, or any homestead laws providing against the compulsory sale of the land by which they live. Besides the cultivated fields, the culturable waste is surveyed in suitable areas and assessed, and all who are willing to do so are encouraged to take up any of these plots, as property which they may keep or surrender as they like. The doubt is whether the Bombay system does not go too far in giving at once too complete and too sudden property. When the prosperity of the American war time abated, these easily-created peasant-proprietors fell into the hands of the money-lenders, and great difficulties seem to have occurred, which led to the Deccan Ryots Relief Acts, containing various provisions for relieving them by mitigating the harshness of the law. But still we have

never in India got the length of the homestead law which they have in America.

There is no doubt much that is good about the Bombay administration, but, though it is comparatively small, Bombay men are, perhaps, rather inclined to over-estimate themselves and their affairs, and not to admit some defects. For instance, it became known that things had gone wrong in Madras and Bombay during the great famine of 1877, but the world was led to believe that all had been successfully managed in Bombay; yet the next census revealed an unexpectedly heavy loss of population in some of the Bombay districts; and in the town of Bombay some of the too ambitious projects of improvement went before a severe fall. In a not very large territory there is a great diversity of languages and races which makes good knowledge of the languages and a homogeneous system difficult. A good many of the natives, too, are almost too clever, and rather troublesome for a limited sphere. The relations between the Government of Bombay and the Government of India are very frequently or generally strained, and there are a good many differences between the Bombay people themselves, generally ending in abuse of the Government by one party or the other. The Bombay Government is not at all a bed of roses. With R. Temple's aid I got up through Berar and the cotton country to Nagpore, the rail being not yet made, and I had a pleasant little visit to the Central Provinces, where my brother John was then Judicial Commissioner. But as I came back to these provinces in an official capacity a little later, I will reserve what I have to say about them. From Nagpore I got across to Jubbulpore, and there did the Marble Rocks, the Thuggee establishments, etc. Thence I found my way back to the East India Railway, and home to Calcutta. During my absence there had happened there the great cyclone of the autumn of 1864, one of the most remarkable that has been known in those parts, and I saw great signs of devastation all about—my own house had suffered considerably. There were curious stories of all that had happened—people in country houses about Calcutta

found unexpected large ships in their gardens, and so on. The old steamer *Hindoostan* in which I came out, went down at her moorings in the river. I settled down again in Calcutta with my family, did my regular work, and followed the pursuits I have already mentioned during the ensuing year.

In the autumn of 1865, I took my vacation tour to Cashmere, then ran up to Peshawar and dipped a little into the Punjaub country, where I revisited some old scenes, and had some talks with old Punjaub friends, and with Sir Donald Macleod, then Lieutenant-Governor. In the first instance I went straight up to the hill-station of Murree, the point of departure for Cashmere, where I paid a pleasant visit to my intimate friend, Brandreth, Commissioner of the Rawal-Pindee division, and saw a good many people. Thence I went on through the hills to the Cashmere valley; I was much pleased with Cashmere, even if it was not in everything up to the excessive expectations one had been led to form. The valley is unique in being the only one approaching any size in the Himalayas, where there are scarcely any valleys. It is beautifully situated, encircled by immense mountains. But the centre of the valley is a little of the nature of a half-dried lake. The lakes which remain are sometimes a little swampy and overgrown with vegetation, the famous floating-gardens are, in fact, masses of water weeds, with a little soil put on the top of them. The principal cultivation of the valley is rice, not a very picturesque crop, and if the season happens to be late it is apt to suffer much from frost, that is what causes occasional dearth in Cashmere. But the Oriental sycamore trees are very fine indeed, and the side valleys about the foot of the hills are charming, though rather small. At the further end of the valley a place called Islamabad is situated in a very pretty country, where the sources of the river Jhelum come out of the soil in enormous springs, each a river in itself. The climate of the lower parts of the valley is not particularly good, except at certain seasons; it is hot in summer, with sometimes, I believe, a little fever,

and much too cold in winter. In summer, Europeans go up the small valleys in the mountains, which I did not see; I believe they are very pretty, but rather small and confined. All Cashmere has one very great advantage, it is free from the excessive periodical rains, and it is on that account a very good fruit country. There is an abundance of fine vines; apples, pears, peaches, etc., are very beautiful, and no doubt may be greatly improved by scientific culture. The people are certainly exceedingly clever, and they are strong and powerful, and good-looking, but not manly. Under previous Governments, Cashmere had no connection whatever with the Dogra Rajahs of Jummoo, now called Maharajahs of Cashmere, because we made Cashmere over to them. The Jummoo Rajahs of Runjeet Sing's time were very remarkable men, but latterly the soft Cashmerees have no doubt suffered much tyranny at the hands of an alien Government. Wanting something in a Cashmere village, I had occasion to say to a man, "Are you the head-man of the village?" "Well," he said, "if there is any one to be beaten for anything, I am the man; if you call that being head-man, head-man I am." I was much struck by the old European sort of style of the architecture and other things in Cashmere; the houses, of two or three stories, with their projecting wooden balconies, etc., looked far more like those of mediæval Europe than like India, as did the bridges over the Jhelum at Sreenuggur, with the shops built upon them. There is nothing Chinese, as in the hills beyond Simla. I also found in that part of the world many European things not known in India—*e.g.* cheese; and among plants red clover, thyme, and many others. The earthquakes make good buildings rare, but there are some that are very ancient and very solid. I need not say that the art of Cashmere, shown in shawls and many other things, is very refined, but while much of it is due to the genius of the people, I fancy that a great part of the ideas are of Persian origin. Though the shawl work of Cashmere is much the finest, that general style of Oriental work seems to be widely spread in Persia, and Cashmere has been long under the rule of Persian-speaking

invaders. As generally happens, the best things seem to be dearest at the place of production, perhaps because they have a higher standard. I was willing to go the length of £100 for a shawl for my wife, as a sort of heirloom; but they said, "Well, we will give you the best we can for the money, but you can't expect anything very first-rate for that." On coming down from Cashmere, I again stopped with the Brandreths at Rawal-Pindee. Col. Brownlow (now Sir Charles Brownlow), showed me something of an Afghan regiment, their music and dances and amusements. Some of the Afghan bagpipes are really very like Highland ones in their skirls. Thence I went on to Peshawar, which I had never seen before. I was surprised to find how charming a place it is to look at, a mass of luxuriant gardens in a fine valley surrounded by picturesque mountains. The fruit orchards are on a magnificent scale—peaches, etc.; and the irrigation from small canals crossing one another at different levels, like railways at Clapham Junction, beats anything I had seen in India. The worst feature of this Paradise was the bad habit people have of shooting at you and robbing you. Even the watchmen employed by Europeans had a way of showing their zeal by firing a random shot or two at their hosts' friends going out to dinner; not only man, but the climate was vile, but I hear that it is better now. The city is thoroughly Central Asian, and filled with all sorts of people, from all sorts of outlandish countries. The principal traffic seemed to be dried fruit and posteens, or sheepskin-coats. The Khyberees come in very freely, and make themselves most familiar, though they are very jealous of letting any one into their territory. They are the most arrant thieves, especially when they can lay their hands on firearms, after making friends with the European soldiers. I did the mouth of the pass about Jumrood, etc., but one could not then go up the Khyber as they do now. The rural population of the Peshawar district is now entirely Afghan, though there are evident traces that it was a Hindoo country, even far up towards Cabul. The people of the valley are pretty well under control, the principal trouble being the very large

number of murders of a vendetta character. They say that for hard swearing in court the Pathans beat all the people with whom we have to do—in that matter a Bengalee is a child to them. There are some zealous Christian Missions in Peshawar, but they make little impression on Mahomedans, least of all on Pathans. On the other hand, religion apart, our money seems to be gradually making way. The Khyberees are taking service with us, and becoming more amenable. One of the industries of Peshawar is the manufacture of ancient Greco-Bactrian coins; they are very ingenious in their way.

On my way back I spent a little time in the camp of the Lieutenant-Governor, Sir Donald Macleod, and saw something of Taxila and the Topes, and the statues of a Grecian character, and some other things. I then paid a little visit to Lahore, where I looked up scenes that I had first known when we took possession nearly twenty years before, and found great changes. I had a great deal of talk with Punjaub civilians, soldiers, and Orientalists. I then halted at my old dominion, Loodiana. I found my old house, which used to be called "Castle Campbell," improved off the face of the earth, but I recovered many of my native friends, and found Salah Mahomed the Afghan still there, and Mohun Lall, that well-known character. The Loodiana Chuddahs and other manufactures are, I think, as famous as ever. From thence I found my way back to Calcutta, after halting at Allahabad and Patna. I took a great interest in the ethnology of these frontier regions. The Caucasian theory is not dead yet. Certainly in that Indian Caucasus there are very fine and apparently very pure Aryan races; and it is a very remarkable circumstance, and one very much in favour of the Caucasian theory, that there is absolutely no trace of any aboriginal pre-Aryan tribes in those mountains. In every other part of India, wherever you have even very moderate hills rising from the Gangetic and other plains, there you have the wild remains of black aboriginal races. But in the Indian Caucasus and Himalayas, in infinitely more inaccessible mountains, where of all places aborigines might have rested most secure,

there is no trace whatever of those old wild tribes. The handsome, civilised, and educated Aryans occupy the position of aborigines there, till, to the East and North, they meet the yellow Turanians, also more or less civilised and educated, but with a civilisation derived from China and the East, not from Aryana and the West. It is very curious, too, that in the long strip of unhealthy forest-land at the foot of the Himalayas, we still find some of the Indian aboriginal tribes, but within the mountains none; the aborigines are wholly outside of the mountain boundary. The people of the hills between the Punjaub and Cashmere are clearly Indian—their languages are dialects of the Hindee. They are all very fine races—Rajpoots, Ghukkers, Kukkers, Dhoonds, Khatrees, Goojurs, and others—some still Hindoo, others now Mahomedan. The Upper Indus is now generally the boundary between the Indian and the Persian and Afghan races. Speaking here of the Persian race, one must distinguish between the old ethnological Persia, and the modern political Persia. Not only the Caucasus west of the Indus, but most of what we now call Turkestan, and probably much of Afghanistan, were originally Persian countries; and under the alien conquerors there is still a substratum of Persian population speaking Persian—the acute and industrious people generally known as "Tajiks." The hill-people of the Kohistan, north of Cabul, and of Badakshan are pure Persians, and speak an indubitable Persian. The Kafirs, those interesting people of the more remote hills there, are only Aryans of a high type, who have not accepted the Mahomedan religion. Thus it is that the aboriginal Hindoostanees, or Hindkees, and aboriginal Persians meet near the Indus in the Caucasus. But in those parts there are two remarkable and distinguished peoples, much differentiated from the Hindkees and the Persians proper—*i.e.* the Cashmerees and the Pathans or Afghans. Both have quite distinct languages, not at all mere dialects. I have already mentioned the Cashmerees as people of a very marked type. Their language is clearly Sanscritic, but obviously as different from the Hindee as the Hindee is different from

the Bengalee, or one European language from another. The people of Cashmere are either Brahmins or Mahomedans; tradition says that they were once all Brahmins, and that probably is so. There is every reason to suppose that the Swatees, the inferior and conquered race of the Euzufzai country beyond the Indus, are of the same race as the Cashmerees, and were the owners of the country before the Pathans conquered them. And in various places in the farther hills we find Kashgars, Kashees, etc.—the old name of the Brahmin race, the same that appears in Cashmere or Kashmere, and in Kashee, the native name for Benares. Clearly the Cashmerees are a very ancient Hindoo race, and my theory is, that they are old original Brahmins shoved farther back into the hill country by the Rajpoots, as the Rajpoots were again shoved back from the plains by the later comers, the Jats. There are no Jats in the Himalayas, though they are so dominant in the plains.

The Afghans do not belong to the Caucasus, and only appeared on the southern slopes of that range in historical times. Their origin is an unsolved mystery, but they seem formerly to have been confined to a much more limited area in the Ghor mountains to the south. In modern times they pushed into Cabul, Peshawar, Swat, etc. I have not studied the Afghan language; it seems to be Aryan, and probably Iranic, but in no sense Persian, like the language of the Tajiks and Kohistanees. It seems to be quite a different language, almost as different as Gaelic is different from English. But like Gaelic, it is only for domestic use—all the conquerors who have come through Afghanistan have adopted the Persian language and civilisation as the Normans did the French. And so do the Pathans themselves when they go abroad. The Indian Pathans have adopted Persian and Indian manners, like Anglo-Normans in England. It was in those years that I gave much attention to ethnological inquiries. India is probably the finest ethnological field in the world, and in regard to ethnology, language, and many other things, a great debt is due to an old and excellent institution, the Bengal Asiatic Society. I

worked much in connection with that society; contributed several papers to its journals, and took part in its discussions.

I have my own ideas on the subject of ethnological classification. I very much doubt any general classification by measurement of crania. It is admitted that long and short crania are found very much mixed together in various races, notably in our own. There is a remarkable example of that in my own family. My own head is so long and narrow that no hat will fit me without stretching; while on the other hand my next brother has a head so broad and round that he cannot be fitted without stretching the hat the other way to make it broader. If our skulls should ever be found in proximity, and an ethnologist is led to class them as belonging to widely different races, he will be very much mistaken. Colour again, if not generated by climate, is at any rate communicated by a slight intermixture, and it is certain that there are Aryan races undistinguishable in feature and very cognate in language, which are widely different in colour. My belief is, that the best ethnological tests are those easily distinguished by the eye—the features, hair, etc.; and again, language. I cannot help thinking that language, as a test of race, has lately been unduly disparaged. True it is that in special circumstances races with a history have changed their language—*e.g.* American Negroes and Irish. And when there is a mixture of races, one or other language generally prevails. But still, such changes apart, language is a very persistent feature, and among primitive and pure races it is almost a sure guide. As respects the features distinguishable by the eye, I would not pretend to distinguish at a glance many different races; but I am clear that one can distinguish Caucasians from non-Caucasians by mere sight. And as the Semites are generally distinguished by language, putting them aside, we may say that we can distinguish at sight Aryans from non-Aryans—*e.g.* European Aryans from Esquimaux, and Hindoos from aboriginal Indians. To apply the test of language, I have thought that the great

thing is not to wander too far afield, but to take certain radical test words, as the lower numerals, the most prominent parts of the human body, the family relationships, some of the commonest domestic animals, and some very simple phrases. I concocted a test paper of this kind, which I had printed and very largely circulated, and when these were returned filled up, even in the roughest way, I found that these papers were amply sufficient to establish language relationships beyond the shadow of a doubt. After many inquiries of this kind I wrote a long paper on the ethnology of India, which was published in 1866, and filled a whole volume of the *Journal of the Bengal Asiatic Society*. Somewhat later I published a smaller paper, a kind of synopsis of that which I have mentioned, under the title of "The Races of India, as traced in existing tribes and castes." Apart from the great mixture of tribes and very puzzling races in the hills around Assam, I think we may say that the language and other tests reduce the non-Caucasian races of India proper to three great branches, each of which has probably been melted down into, and has alloyed considerable parts of the Aryan population in different parts of India.

On the Eastern borders my language tests clearly established the substantial identity of the various aboriginal tribes found there, from the sub-Himalayan forests to the borders of the Chittagong district. Coochees, Cacharees, Garos, Tipperahs, and others, all speak substantially the same language. It is a language allied to the Burmese and Thibetan, so perhaps these people should not properly be called Indian, but they certainly largely extend into the plains of Eastern Bengal under the name of Coochees and Rajbunsees. In some parts of the country their features are distinctly traceable among the people, and in several populous districts they form a considerable portion of the population, even when they have lost their language. In the more central portion of India the language test makes clear the distinction between two entirely separate black races whose languages are in no degree allied, and whose tribes are

clearly distinguished, though in some parts of the country they are a good deal intermixed. The most recent ethnological authorities incline to class them with the southern races of the Indian Ocean and Australia rather than with the Turanians. Advocates of the claims of the Dravidians to an early civilisation had previously claimed for them a northern Turanian origin, but what militates against that theory is the undoubted fact that a large proportion of the blackest, most primitive, and most uncivilised tribes of Central India are clearly Dravidian in language and origin. If the Dravidians came to India as a civilised people, a portion of them must have gone backwards — dropped clothes, and returned to the wildest habits. The other branch of the dark aborigines consists of many different tribes going by different names in different parts of a wide stretch of country, but they were all found to be bound together by the tie of a common language clearly different from any other. I may claim to have added a word to our own language, by inventing a generic term to designate all these people, which is now generally accepted and used—viz. the term Kolarian. I do not yet know that it is justified, but it has answered the purpose of distinguishing the two black races—the Dravidian and those I called Kolarian. I arrived at the name because there were several tribes called "Kols" which seemed to be non-Dravidian, and I coupled the word with the name "Kolinga," the ancient name for the east coast of India, and the well-known term "Cooly." I thought it very likely that the word might be the root-word to designate these races, and so adopted it.

There are very wild Dravidians—Gonds and Khonds—in large numbers in the hilly tracts of the Central Provinces, Orissa and Northern Madras—and in Western Bengal we have the Oraons, commonly known as Dhangars, an industrious race who come down to Calcutta and are well known as good workers in ditches and sewers, etc. The wild people of the Rajmehal hills (the projecting angle of the Central India highlands which runs far eastwards between Bengal and Behar), are also Dravidians—to say nothing of

the very wild Baigas and Juangs who have not progressed much beyond the fig-leaf stage of society. It was in the case of the latter, who are found in the hills of Orissa, that a zealous magistrate, shocked at the extreme scantiness of the vegetable clothing of the young ladies, presented each of them with a piece of cloth, but was met with a remonstrance on the part of the husbands, who said that such gifts would lead their wives into extravagant habits.

By far the greater part, however, of the aborigines of the border countries of Western Bengal belong to the Kolarian tribes—Sontals and Mundas of Chota Nagpore—and several tribes known as Kols. Similar people, speaking the same language, are also found in the Satpoora hills, far away to the west, even to near the Bombay border. The Kolees of Bombay have lost the aboriginal language, but are very likely of the same race. The Kolarian languages are akin to no other, except in a small degree (it appears) to that of the ancient people of Pegu or Lower Burmah, on the other side of the Bay of Bengal, where they were the predecessors of the Burmans, who are now rapidly absorbing them. The Kolarian tribes of Bengal are a very excellent and sturdy people, very prolific, good cultivators and excellent colonists. They have colonised several parts of Bengal, and even in recent days, of Assam. Their only fault, if fault it be, is to rebel in a very uncompromising way when they think that they have been subjected to tyranny. The Sontal rebellions were not without much provocation. It is singular that no aboriginal languages are found north of the Nerbudda, although there are there large tribes of Bheels and others clearly non-Hindoo and aboriginal; but they all speak dialects cognate to those of the civilised people around them. Either they have lost their language, or their old languages are the foundation upon which the Hindoo languages of Northern India have been superimposed.

I have always maintained the view that the great caste divisions are really race divisions. According to this theory the Brahmins, whether they be the aborigines of the Hindoo Caucasus, or come from farther north, were the first Aryan

settlers in the plains of India. In their civilised state they had to give way to fresh invasions of the tribes now represented by the Rajpoots, and were either cooped up in Cashmere or driven forward from the Saraswati to the plains of the middle Ganges, and thence all over India. But as the Greeks in their decadence influenced the manners and literature of the Romans, and the Romans again in their decadence those of the barbarians, so the Brahmins have never ceased to maintain an influence over their conquerors. We know the worst of them as priests and lawyers, but they are really a very large and, I think, very good population, and they have this advantage in virtue of their superior caste that they can turn their hand to almost anything. They are good cultivators, and their women work well, free from the Rajpoot prejudices. Brahmins, too, are found as successful merchants and bankers, and in many other professions, and freely take service of every kind, from that of ministers of state down to domestic servants.

The Rajpoots are a much less well-defined people than the Brahmins. The word, in fact, only means "children of Rajahs," or, as we may put it, children of rulers. There are many varieties of Rajpoots who will not eat or intermarry with one another. In fact, there seems to have been an evident tendency of all dominant tribes to set up as Rajpoots —some with very little pretension to that character. The ordinary agricultural Rajpoot is a very good fellow, and his somewhat indifferent character as an agriculturalist is not altogether his fault. It is probably from the Mahomedan rulers (who always favoured the Rajpoots) that he has got the prejudice that prevents his women from working in the fields. Some of the Rajpoots, too, while living wholly by agriculture, have a curious knightly prejudice against holding the plough with their own hands, but must have some kind of serf or servant to do that, while they do every other sort of work.

Behind the Rajpoots came the last wave from the west, the great Jat population of Western India, to whom I have so often alluded, and who are very prominent, not only in

the Punjaub and in the country of the upper Jumna and Ganges, but also in what we now call Rajpootana; for the dominant Rajpoots there are comparatively modern immigrants. South of the Rajpoots of the Gangetic countries and the Jats of the west, the great agricultural population are the Koormees or Koonbees of Central India and the Bombay country, probably representing classes inferior to the Brahmins and crossed with the aborigines. While the great caste divisions were probably, as I have said, race divisions, there can be no doubt that a large proportion of the present castes forming minor subdivisions are professional or trade guilds assuming, as everything among Hindoos does, a hereditary character. Among the agriculturalists there is the distinction between the proper farming classes generally dominant, Jats and Rajpoots, Brahmins, and Koonbees, and on one side herdsmen who combine agriculture with an original turn for cattle, and on the other what may be called the gardening castes, who do the finer cultivation.

The excellent character of the mercantile castes is well known, but when he gets a chance almost every Indian seems to have a mercantile talent. The variety of castes, representing every possible trade and profession, is infinite. One of the most curious castes, the origin of which it is difficult to trace, are the Kayets or Kaiyasths, the writer caste, who in Northern India under the Mahomedans have a good deal ousted the Brahmins from the literary and professional work which might naturally have fallen to them, and which they still retain in Southern India. The Kayets are between the Vaisya and the Soodra caste, they drink spirits and worship the pen. Though very numerous, so far as I know they are never found in agricultural communities. They, even more than the Brahmins, are the people who have availed themselves of our education, and have come to occupy our offices and our professions, and to profit by our rule.

A system of proselytising is always going on, new Hindoos being made by means of new castes. The modern Hindoo

is merely a man who accepts a Brahmin as his priest, astrologer, and family registrar, and conforms to the first article of all priest-made law, viz. "Give good gifts to Brahmins." If he does so much, he may retain his own tribe or name (if he is not manufactured into a Rajpoot) and even his own gods, and he is enrolled among the Hindoos, his tribe forming a new and separate caste. We see this process going on among the aborigines to this day, and that must be realised to understand the position of Hindooism and caste,—it throws much light on the past history of those institutions.

No doubt many aboriginal Indians have been absorbed by and blended with the Aryan conquerors, but still the Aryan infusion has predominated in feature. I doubt if, clothing and caste marks apart, we can in the civilised parts of India distinguish the lower castes by the eye as non-Aryan, as we can the real aborigines of the wilder country. But the caste system and the strict rule of marriage have no doubt preserved greater purity in the higher castes. The modern Hindoos are, in fact, taken as a whole, a mixed race like ourselves, with much the same varieties of feature that are found in Europe.

As to Mahomedan races, such a thing hardly exists in India east of the Indus. The immigration, since the days of the Mahomedans, seems to have been comparatively small, and the lax Mahomedan system of marriage and adoption always leads to a great mixture of blood. Nine-tenths of the Indian Mahomedans are avowedly converted Hindoos, and the remainder may be said to be nine-tenths Hindoo in blood. Considering how long the Mogul emperors ruled in India, it is curious how very few people call themselves Moguls, and how little they claim high rank. The Delhi Imperial family apart, I never to my recollection met with a Mogul settlement in India, or I think any families of high rank. A man who sets himself down as a Mogul is probably a stray camel-driver or something of that kind. Whatever he is, he has no trace of Mongol feature. The fact is that in modern days the term "Mogul" is

applied to a Persian speaker from the north-west, as distinguished from a Pathan Pushtoo speaker, and Moguls of the present day are more Persian than Mongol.

The only (more or less) Mahomedan races are the Indian Pathans, and perhaps the semi-Arab Moplahs of the west coast. The Pathans, as I think I have already said, are found in scattered settlements in considerable numbers, but are now quite Indian, and not at all Pathan proper in character. The leader of the so-called Rohillas of Rohilcund was a converted Hindoo. There is not the smallest justification for talking of these people as "Afghan tribes." They never came as tribes, and retained no tribal distinctions, but were merely adventurers, joined together it may be in troops and companies, in the service of Indian princes. It need hardly be said that we have scarcely anything that can be called Christian races in India. The Christians of the south are natives pure and simple. I do not think that we have anywhere in India the colonised Dutch, known as "Burghers" in Ceylon and elsewhere. The only Christian colonists are the Portuguese, who are found not only in the West of India, but also in Eastern Bengal, where we have regular Portuguese communities of unbroken descent more or less pure. But it is curious, as showing how little persistent colour is, that these people are quite as black as any natives. I do not here go beyond the proper Indian borders to discuss the many tribes of Turanian and unascertained blood on the Northern and Eastern frontiers. I might mention the well-known Parsees of the Bombay country as a settled population. The name "Parsee" is identical with our "Persian." For the rest, Jews, Armenians, etc., are for the most part mere foreign immigrants, and east of the Indus Afghans are chiefly known as itinerant and very enterprising merchants.

Another question to which I applied myself as the result of my several tours was that of the best capital for India. I had long occupied myself on that subject, and after many inquiries towards the end of my time in Calcutta I published a pamphlet, in which I tried to treat the subject, as

it were, scientifically, and by a process of exhaustion, that is, throwing out places to which there was great objection, and so coming to those to which there was least objection. Reference has often been made to that speculation, but I am sorry to say that nothing has yet come of it.

The first point I take is this, that Calcutta has practically ceased to be the capital, and that Simla, to which the functions of a capital have been drifting without settled purpose or design, is in no way fitted for any such function. We have a practice under which the Government of India oscillates in a peripatetic way between a long stay for the greater part of the year at Simla and a cold weather visit to Calcutta, the nominal capital. That practice had been commenced when I wrote, and it has since become more and more confirmed. The more I think of the matter, the more I think that system bad. It is quite impossible that the real functions of the settled Government of a great Empire can be properly performed during a short visit of from three to four months to Calcutta in the cold season, which is also the season when the climate admits of visits to other parts of India; so that the Governor-General is often absent for a part of that time. The real home of the members of the Government is at Simla, where a good many of them now leave their families in the cold season. For my part, I do not think that Calcutta is at all a bad place, among tropical places, and if we could keep the Government at Calcutta I should not think the matter very urgent. We could let things be as they are till we find a better place. But the evil is the way in which, without facing the question or deciding upon it in any way at all, we are, as I have said, drifting into Simla, and throwing (so I think) a great deal of good money after bad there. Knowing Simla so well as I do, I very much sympathised with the feelings in regard to it of Lady Dufferin, whose book I have lately been reading, and I think a good many English administrators and their families have had something of the same feeling. Only old Indians scathed by the heat of the plains find Simla a considerable relief.

Be that as it may, the practice of going to the hills has now gone so far, that it would not be possible to keep the Government of India through the year at Calcutta. No doubt more serious and prolonged work is done at Simla than in the short and gay season in Calcutta. But again I say that Simla is not suitable for a capital even for Europeans, and that it is very unsuitable for natives. It is forty miles in the interior of the Himalayas as the crow flies, and fifty or sixty miles by the road, and the intermediate hills are the worst and most unattractive in the Himalayas. In spite of the pretty vegetation at Simla itself, I agree with Lady Dufferin in thinking the sense of confinement insupportable. As to climate, the place is pleasant enough from the middle of April to the middle of June, and again from the latter part of September to the end of October. But the intermediate rainy season is, I repeat, detestable. The cold season is rigorous—partly fine and partly bad with snow and storm. The winter temperature would not be too much for Europeans, but it is in cold weather that the sense of confinement is most felt, and it would be very cruel to natives to keep them there in winter. Finally, the water supply always has been and always will be deficient, and, for want of a good supply of water to flush the place, I gather that it is more and more becoming unhealthy. It will never do for a permanent capital.

My idea has been to find some intermediate climate in a central situation—a sort of compromise where Europeans and natives might meet in a common capital for two-thirds or three-fourths of the year, leaving the high functionaries free to tour about in the cold season. There might be a better understanding if personal communication was thus obtained; Madras and Bombay might not so much consider themselves step-children, and such men as Sir Charles Trevelyan and Sir Bartle Frere need not be so much in antagonism with the Supreme Government. Where then is this model capital to be? I reviewed India geographically and politically to try and find out that.

The town of Bombay is in some sense more cosmopolitan

than Calcutta; it is more central at the junction of the various railways—nearer to England, and the port of departure for Europe. But without entering into the question of the climate of Bombay, it is exposed to external attack to a degree which is an absolutely fatal objection. My conclusion was that there is no great city which has sufficient advantages over Calcutta, and that if we are to have a new capital, we had better choose an entirely new place, looking only to position and climate.

I doubt if we can do very much better in the Himalayas. All stations there are open to the same objection—it is only a question of degree. Cashmere would have great advantages if we were a Central Asian Power, but as it is, Cashmere is too remote, and moreover does not belong to us, which is a consideration. I did, indeed, at one time think of the Mussoorie Hills, with the Dehra Doon as a playground immediately below, and only six or seven miles distant, and the same idea seems to have occurred to Lady Dufferin. Between Simla and Mussoorie there is in the outer range a large mountain called the Chor, some 12,000 feet high, with some delightful country on its slopes, and plenty of water. It is separated from Simla by a very deep gorge, but drains towards Mussoorie. I made a map of a big enclosure for the capital, with the Sewalik range fortified. I still think that that position on the upper Jumna and Ganges would be the best and most central in the Himalayas. But still there are always the disadvantages of the Himalayan climate and the excessive steepness. I afterwards concluded that it was better to look further afield.

At the other extremity of India the Neilgherries are perhaps the best hill location in India, there is plenty of room for driving and riding, and there is not the severe Simla winter; but at Ootacamund also there seems to be a nasty and prolonged rainy season. My impression is that if the Neilgherries were more central, it might be well to make the capital there, even at so great an elevation; but they are too much in the southern extremity of the Peninsula, besides being rather high for the natives. I

came then to search the great elevated tract of Central India, reaching from the Eastern to the Western Ghats, and from Mysore to the borders of the Gangetic plain. There is some high land in the Central Provinces with peaks reaching up to some 5000 feet or more, but we have not succeeded in finding any thoroughly good and healthy station in the higher parts of the Satpoora range. Of the great elevated plateau of the Deccan, the highest part is towards the west, and I eventually inclined to the more elevated parts of that plateau behind the Western Ghats about the latitude of Bombay. I was very much struck by what I learned of the excellent climate of Poonah in the rainy season, when so many other places are bad. The meteorology of that part of the country is very peculiar; the south-west monsoon breaks with great violence upon the Western Ghats, making them almost uninhabitable in the rainy season; but fifteen or twenty miles farther east, at such places as Poonah, we find that the Ghats have broken and absorbed the monsoon rains, so that Poonah gets the air thoroughly cooled by the rains, and yet very little rain. Every one agrees that that makes a delightful climate. I thought that, if we could find a site similarly situated to Poonah, but a little higher—a little farther north, and somewhat greener and better watered, that might be about the best place, and I pitched upon the Nassick district near the head waters of the Godavery, and just about the point where the railways branch off north, south, and east. It is sufficiently elevated to have a temperature not very excessive at any time; and if in the spring before the rains break it might be somewhat hot, there are cool retreats in the highest part of the Western Ghats within an easy drive. The water supply would be very abundant. This Nassick site would be, in fact, an elevated position behind and above Bombay—with a much better climate—and protected by the very steep Western Ghats. There is plenty of room, and the place is apparently very healthy. When the Emperor Aurunzeb had to choose a capital, he too came near that part of the country. I admitted that the argument in

favour of Nassick was not conclusive, and that the matter would require further examination; but I strongly maintained that it was most desirable that, after full inquiry, something should be settled on the principles above-mentioned.

A long time has passed since I promulgated these views, but I still do not see reason to depart from them. I do not see that any new knowledge has been obtained that could alter the situation, though a good deal of money has been spent at Simla. Nothing is perfect in this world, and I think it is clear that there does not exist in India any place which possesses every excellence without some drawback. The whole country has been surveyed; we know what it is, and have the means of choosing to the best advantage if we go about it systematically. One of the best climates which has since come to my knowledge is Shillong, in the Assam hills, where there is plenty of room to drive about, and where the climate is analogous to that of Poonah, inasmuch as there is a tremendous downfall in the monsoon on the Cherrâ Poonjee Hills, and twenty or thirty miles distant at Shillong there is comparatively little rain. It is possible that good climates may be found in the high country between Assam and Burmah, but that would be too far out of the way. Meantime we are still drifting and spending money on palaces at Simla. We really should decide something.

My family left me and went home in the spring of 1866, after spending several seasons in Calcutta with very little change. They suffered very little from the climate. I believe the necessity of sending children home is more moral than physical. It is after they get home that they are martyrs to the diseases to which child flesh is heir. I contemplated following them the next year if nothing occurred to detain me. I was entitled to furlough and eventual pension, and in that view I gave up my house and lived for a time in Sir Henry Maine's rooms; and after he had gone to Simla I occupied them with my friend R. B. Chapman, one of the most distinguished of Indian civilians. I worked

steadily in Court, and gave my spare time to the occupations which I have already mentioned. In that hot season there was a good deal of agitation on account of an alleged famine in Orissa, which the Government did not fully acknowledge, even when the public had largely subscribed to its relief. I was only interested as one of the public, and a subscriber to the fund. As the season went on, it proved that there was no doubt of the reality of the famine. My health was doubtful, and I was getting home-sick, not seeing any immediate prospect of sufficient temptation to remain. Latterly, I lived for some time with an agreeable French family—that of Dr. Tonnerre, and tried to recover my French. I there saw a good deal of the foreigners in Calcutta—French, Greeks, and some Germans. Although I could always read French and talk it sufficiently to find my way about, I never did succeed in learning to talk French with comfort in civilised society. The fact is, that French is very easy up to a certain point, but very difficult to get beyond that. I hope that the much simpler English language is soon going to be the *lingua franca* of the world. It is a misfortune that French has still such a hold in Turkey, Egypt, and Russia.

I decided to go round to China for my autumn trip of that year, 1866, and I am very glad that I did so. Without having seen China one has not seen the world. One finds there an entirely different civilisation, very radically different from ours, and in many or most respects the converse of ours; but we have no right to assume that we are always right and the Chinese always wrong. One sees in China many things to make one hesitate, and to feel that we have still much to learn. I do not pretend to have explored China, but from all I can learn I believe I was able to take a very good sample of it in Canton and the country thereabouts. I went by French steamer, touching at Pondicherry, Singapore, and Saigon, and also at Penang on my way back. At Singapore there is much of ethnological interest in connection with the various races there, and especially the leading race of that part of the

world, the Malays and allied races. What is a Malay? That is a very difficult question. The Malay language is the *lingua franca* of the Eastern islands. Many of the Malays are a good deal Arabised. In fact, Arab blood and Arab influences crop up all over the Southern Ocean.

In the interior of the Malay peninsula we hear of black aborigines, apparently allied to the Andaman Islanders. The Chinese community of Singapore is very interesting as showing how Chinamen develop under our protection, combining Chinese with European civilisation. I believe there are some Chinese women in Singapore; but the main difficulty about Chinese colonisation is that they do not bring their women. They adopt, however, very readily the women of the countries where they go, including white women. In some parts of the Straits Settlements, especially Malacca, as well as in Burma, there has sprung up a very good half-caste race—a cross between Chinese and natives. Both Arabs and Chinese seem to improve and raise the breed of natives among whom they go. Is it really otherwise where Europeans are crossed with non-European natives, or are we to some extent prejudiced against half-caste people of our own blood and religion? The Portuguese have always been very free from prejudice as regards race, and have left behind them colonies of coloured Portuguese in all the countries where they have ruled; but certainly the coloured Portuguese do not seem a very high-class sort of people.

I have never visited Java, or any of the Dutch Indian possessions, though with my habit of inquiry I have talked a good deal to Dutch fellow-passengers, of whom there were a good many in the steamer that took me to China. I confess, however, that I have never quite realised the Dutch Indian rule. Apparently they have always followed the system which prevailed when we first went to India, *i.e.* establishing influence over native States, and exploiting them for commercial purposes. There was a time when our envy was excited by accounts of how to rule a colony in the Dutch form, under which the mother country derived

a large revenue from their Indian possessions, chiefly due to commercial monopolies; but whether from the competition of other countries or the awakening of the Dutch liberal conscience, all that has ceased now, and the Dutch Indies seem rather to threaten financial loss to the mother country than to be a source of revenue. To this day Java seems to be managed somewhat as we managed Bengal before the Company boldly stood forth as Diwan, and we openly assumed the direct control of British territory in India. There seem to be still nominal native rulers in the Dutch Indian territory nursed and managed by Dutch residents. In the Malay Peninsula, adjoining the Straits Settlements, the British authorities seem to be now following a good deal in Dutch footsteps, the native States being put under the control of British residents and utilised for commercial purposes.

Going to China on the French steamer, we touched at the French colonies Pondicherry and Saigon. I had no opportunity of seeing much of Pondicherry, but it seemed a clean, well-managed place, and something might be learned from the study of French Asiatic colonies such as they have in Pondicherry. It seems curious to read of election troubles in Pondicherry such as you might have in France or England. Saigon was then in its infancy, but we stopped a little time there, and I had an opportunity of going about and seeing the place. It is up a river, situated something like Calcutta in that respect. I was decidedly impressed by the neatness and smartness of the French arrangements. But it is since those days that French Indo-China has become such a large question, and I need say nothing more about that here.

From Saigon we reached Hong-Kong without adventure, and I did Hong-Kong pretty thoroughly. I was very kindly received by Mr. Magniac of Jardine & Company, and had the best facilities for seeing and learning. The place has often been described, and I need not go over that. Though a British colony, Hong-Kong is in the main a Chinese community, and the Chinese, though mostly settlers

from the mainland, are there in their own country with their wives and families, not mere sojourners as in other British colonies. We must there have an opportunity of understanding the Chinese better than we have usually understood them.

Hong-Kong is, of course, an important British commercial centre, but there, as everywhere, Germans rival us on our own ground. It is said that they are more industrious, work harder on less pay, and are content with beer where an Englishman wants champagne. Hong-Kong is one of our boasted free ports; but when I was there it seemed to me that it was just rather too much a free port. So much freedom was claimed there that the shipping was subject to no proper supervision or police regulation whatever. Not only has smuggling into China always been there an institution not very abhorrent to the community, but the harbour was full of the most piratical-looking craft I ever saw in my life—heavily-armed Chinese vessels with ostentatious-looking cannon. No questions were asked of them, and their armament was nominally for their own defence, but it was generally believed that if they got a chance against a weaker vessel they would turn it to another purpose. As a rule, they prudently avoided attacking European vessels, and it was maliciously suggested that the European colonists did not break their hearts over arrangements which resulted in piracy upon native craft only; but the result was that honest native vessels were always driven off the seas, and the trade had to be sent in European bottoms,—to the great profit of the gentlemen who were so much in favour of the very freest free trade at Hong-Kong.

From Hong-Kong I took steamer to Canton up the Canton river. I was struck by the Chinese character of the scenery—such as is depicted on the willow pattern. It is wonderful how widely diffused over the world are fir-trees resembling Scotch firs, and they run largely into semi-tropical countries. In the United States, the seaboards of the Southern States are a mass of them; in the Himalayas they occupy a great zone just above the tropical vegetation

—and below the oaks and rhododendrons,—and here in Southern China they come down to the neighbourhood of tidal waters. At Canton there is but a small European settlement;—Hong-Kong is the residence of the Europeans. But I was hospitably received by Mr. Glover, the American Consul, and guided to the sights by the Rev. Mr. Gray, than whom there could be no better authority. I did the city and some of the adjacent country pretty thoroughly, not only seeing the sights, but also wandering about by myself to do the everyday Chinese life. I was greatly pleased with Canton, and wonder that we do not hear more of it. I gathered that it really is by far the most genuine Chinese city easily accessible—infinitely superior to Pekin (which is, I am told, a disgusting place), and not bastardised by European settlements like Shanghai and some other places. The only conspicuous want was the absence of roads and broad streets both in the town and adjacent country; but otherwise my notes are all in praise of the people and all that I saw. The streets seemed to be clean and orderly; there were good bazaars and very fine shops, and the people quite civil to a European wandering about at will,—they politely took no notice;—and the Tartar soldiers at the guard-houses seemed particularly good-natured. I was rather surprised to see so many small-feeted women about in the everyday life of the town—they are by no means shut up, and manage to toddle about. The native gentlemen in their sumptuous litters gave one the idea of high-class people. I did not do much shopping, I tried one or two porcelain-shops, but found the prices exceedingly high, just as Cashmere shawls are dear in Cashmere. There seemed to be much good pork at the butchers shops; and dried rats, hung up in bunches by the tails, take the place of our dried herrings. In the market one saw fine succulent-looking young dogs exposed for sale in baskets. I tried the Chinese restaurants, very civilised places with good tables and chairs. No doubt we get our modern tables and chairs from the Chinese, for the ancient Europeans do not seem to have had them. "Best black

cat" seemed to be a favourite dish placarded in the restaurants, and the little dressed dishes of dog and cat which I tasted seemed not at all bad. The prejudices of different nations in regard to food are very curious. These same Chinese have a violent prejudice against, and will not touch, cow's milk and pheasants; the latter, I believe, because they live among trees where their ancestors are buried. "Extraordinary people," they say, "those Europeans are, who drink milk, and eat foul pheasants, but won't touch clean and wholesome cats and dogs and rats."

A prominent feature in China is the pawnbrokers' shops, so called by Europeans—very high substantial buildings, the most substantial to be seen. I gather that in truth they are much more than mere pawnshops, being also depots where goods and valuables are stowed for safety. Winter furs, for instance, are often deposited there in the summer. These buildings are supposed to be fire-proof and thief-proof. The pleasure-boats on the river afford a view of highly-ornamented Chinese ladies, very much painted—they rouge to an immense extent. The beggars are a very pronounced institution in China, they seem to have some kind of licence, and coming with a sort of rattle, demand rather than beg for alms. I went to see the city of the dead, so-called, that is, the vaults where bodies are deposited till wanted. They are arranged in a sort of large wine-bins, numbered and ticketed, so that a man who belongs to a distant part of the country, or whose friends do not find it convenient to perform the funeral ceremonies at the moment, is put in a bin, and a receipt is given, and he is kept till called for.

I saw the great examination halls, or rather sheds like an enclosed market, where the competitive examinations, so long an institution in China, are held. One cannot but admire the Chinese system, where high honours ascend to the father who bred the successful man, and his ancestors upwards, instead of going down to descendants who have had no share in the matter. A little way out of Canton I came upon a threatrical piece being performed in full force,

and watched it for some time, but as I understood that the performance of that particular piece lasted for three weeks, I did not follow it to the end, or succeed in mastering the plot.

I saw several curious Chinese gardens; one, I believe, the identical scene of the willow pattern. The system of dwarfing trees is quite a Chinese invention, and those dwarfs enable them to do a large amount of landscape-gardening in a small space.

I took a good deal of trouble to inquire whether there is much serious religion in China, but so far as I could gather, the prevalent religions are of a purely formal character. A great deal of incense is burnt at the corners of the streets, and ceremonial observances of that kind seem pretty common; but apparently there is little beyond that.

The Chinese week for purposes of market and such like is eight days, not seven, as I already knew, for a good many Chinese institutions have penetrated to the eastern borders of India, among the Indo-Chinese tribes.

I made two expeditions into the country, not very far, but far enough to see the real native rural life. My principal wonder was how so active and civilised a people could get on without any proper roads for wheeled carriage—there was nothing but narrow causeways. Perhaps facilities for water communication may in some degree account for it. Otherwise everything gave one the idea of a civilised and prosperous country. The houses seemed good, and the cultivation good; and the Chinese economy of manure was forcibly brought to one's attention at every turn. The plains seemed to be rich, and in the adjacent hills I reached some tea-growing country, and saw the real indigenous Chinese tea. I had no protection, and the people seemed everywhere thoroughly good-natured. The general result of my visit was to leave on my mind the impression that, though the Chinese have not our modern mechanical and scientific inventions, their civilisation might at any rate have very favourably compared with that of Europe a hundred years ago. They might have been

behind in some things, but had probably much the advantage in others. In truth, however, everything is so different that it is like comparing incommensurate things. And there is extreme difficulty in acquiring any real information about internal and social matters in China. Europeans have so little knowledge of the language and the ideas of the people that they really know very little about the Chinese. The Americans are pretty prominent in China, both in steam-navigation and in missionary enterprise; and some of their missionaries—Dorlitte and others—seem to know more than anybody else, but that is not much. I could not get any really satisfactory information regarding the tenure of land, nor in truth as to the real government and administration. One thing only is clear, that under the forms of despotism there is a great amount of popular and democratic power in the people. We know that there are great differences in the different Chinese provinces, but I have not been able to make out whether there are distinct peoples and languages, as in India, or whether the Chinese are all one nation. I saw that some of them could not understand one another till they wrote, then they recognised the ideographic writing. One question of immense importance to the world I was much exercised to master, *i.e.* Why is it, that with all the enterprise of the Chinese, and readiness to go abroad, they are wholly prevented from colonising in any proper sense by the influences which prevent their taking their women with them? If they could have colonised, they would have occupied the waste places of the earth, and the history of the world would have been changed. As it is, they come only as temporary labourers, and Americans and Australians find pretexts for excluding them. I wanted to know whether the absence of women was due to government action or to social influences; but I have never been able to get any clear explanation. Probably the Chinese Government like to have some hold over their subjects; but I rather think that social influences are more potent—the same which make it indispensable that a dead Chinaman's body should

be returned to China. A Chinaman seems still to believe that China is the only country fit to live in or die in for a permanency. But I wish the matter could be made clear.

I returned to India in one of the great opium steamers running from Calcutta, and safely arrived there in due course.

CHAPTER IX

ORISSA FAMINE

On my arrival in Calcutta the first news that reached me was that, in consequence of the strong feeling both in India and at home regarding the Orissa famine, Her Majesty's Government had determined that there should be a formal inquiry into the matter, that the task should be entrusted to a commission, and that it was desired that I should preside over that commission. Everything was arranged, and my arrival only was awaited. I could not but accept the function, and the commission was immediately issued, consisting of myself, then a judge of the High Court; H. L. Dampier, a distinguished Bengal civilian not involved in the famine administration; and Colonel Morton, an officer of high rank in the corps of engineers. We were directed to inquire into

(1) The causes of the famine;

(2) Whether timely measures had been taken to meet the evil, and if not, whether there were valid reasons to account for their absence;

And (3) in what way such visitations may be prevented or mitigated in the future.

This was the first serious inquiry of the kind which had been undertaken in India. Famines there had certainly been before under our rule, but then there was no imputation that our officers had not done their best according to their lights, even if that best fell very far short of the standard by which efforts are judged in modern times.

The Government had never undertaken the gigantic efforts and gigantic expenditure which modern opinion now requires. In Orissa there had undoubtedly been famine of extreme severity, and very great mortality, while the circumstances were such that there was in no degree an adequate dealing with it on the part of Government. The British people demanded to know the reason why. The Government of Bengal was practically on its trial, if not the Government of India too, and it was perhaps unfortunate that the personal question of the guilt or innocence of the officers incriminated by public opinion rather overshadowed the larger question of the proper method of dealing with famines. The inquiry, in fact, assumed a judicial form.

We went down to Orissa in state in a large Government steamer, the *Feroze*, and landed in the Pooree district, near the famous Temple of Juggernath, where we made inquiry, and then proceeded to visit the other districts of Orissa. We sat and took evidence in the various localities, and collected every information in the early part of 1867, after which we returned to Calcutta, where we examined Sir Cecil Beadon, the Lieutenant-Governor of Bengal, and the other officers concerned in the Famine Administration, after which we made our report in great detail—the general report, narratives of the proceedings in each district, evidence, correspondence, and appendices, filling two large folio printed volumes. When that report had been signed, the commission was broken up, but there was still something left for me to do alone. I was about to proceed to England, and I was requested to examine the India Office records there for information regarding the history of former Indian famines, and the lessons to be derived from them; also to report on the changes in the machinery of administration in Bengal which the disclosures before the commission suggested. Accordingly I submitted a supplementary report a little later.

From the first the inquiry before the commission left no doubt of the extreme severity of the Orissa famine. It

was practically over when we went down in December 1866, but we were shocked by the human remains which we saw all around. From an Indian point of view, the area of very intense famine was rather small, being confined to a few millions of people; and the period of intensity was short, being no more than a single half-year. But within those limits it was, I think, by far the most acute famine experienced in any part of India in the present century. Food was not, as in most cases, three or four times, but ten times its ordinary price—sometimes even thirty times—or not procurable at any price. It may be that in such a case of very short and sharp famine there is a tendency to exaggerate the mortality. I think that was the case in Bengal in 1770, and perhaps in Orissa in 1866; while in the case of more prolonged though less acute famine, the mortality from hunger and disease combined is scarcely realised at the time. I think this last was the case in regard to the famine in Southern and Western India in 1877-78, as the subsequent census showed. Both in Bengal in 1770 and in Orissa in 1866 it has been commonly said that one-third of the population died. We are represented to have said that at any rate one-fourth died in Orissa. Not so. That was the estimate of the Commissioner of the Division, a good and conscientious man, who certainly had no temptation to exaggerate. But while reciting his words we were careful to say, that in the entire absence of statistics, and of effective machinery to get at the facts (under the Bengal system), it was impossible to judge with any accuracy. We added that the appearance of the country and the sufficient cultivation of the new crop did not bear out such an estimate of mortality among adults. But still there had been so great a mortality among the old and the young, that we could not take upon ourselves to say that the estimate of one-fourth was excessive. Perhaps our routes lay so much on the main roads and centres, where people flocked together, that we were impressed by the signs of mortality somewhat beyond the reality. There had been no proper census before that date; but still the

census of 1871 showed an unexpectedly large population, and on the whole I afterwards inclined to doubt whether the famine mortality had not been exaggerated.

There could be no doubt whatever of the causes of the famine, viz. the failure of the later rains of 1865, and consequently of the autumn crops of that year, together with the almost entire absence of importation of food from the outside. The main stress of the famine fell on the three British districts of Orissa, which form a comparatively narrow strip between the hilly country and the sea. It is crossed by a succession of rivers, very large in the rainy season. There is a large pilgrim traffic by land to Juggernath in the dry season, but very little land traffic of any other kind. Orissa is very much cut off by hills and jungles. Its commercial communications are principally by sea, from several small ports open the greater part of the year, but which are inaccessible when the south-west monsoon blows on the coast. The country is almost entirely a rice country, but the supply of rain is generally ample, and there is no record of any previous famine there since we acquired the province at the beginning of the century.

As generally happens with regard to rice famines, this was not the result of a succession of bad seasons, or even of a continued bad season, but only of the failure of rain at a critical time when it was required to mature the grain. As it was, the failure was by no means absolutely complete. It was estimated at the time that one-third of the crop was saved. For some months life went on as usual. There was even some exportation of rice in the latter part of 1865, in fulfilment of previous contracts. In former years there had been considerable exportation, and the facility of export prevented much grain being stored.

Some of the local officers raised alarms of famine early in the day, but they were overruled, and it was not till well on in the spring of 1866 that the extent of the danger was properly realised. When the extreme famine did come, it came very suddenly, showing how thin a line divides scarcity from the severest famine. In April 1866 the

magistrate of Cuttack still reported that there was no ground for the most serious apprehension. A few days later, in May, he and his followers were almost starved. We compared it to the case of a ship where the stores are suddenly found to have run out. The fact is that when once there is a famine-panic, stocks are withdrawn from the market in such a way as to give some colour to the outcry against the dealers on these occasions. When there is facility for importation, and prices are not run up to a great extreme, even a very great failure of crops seldom leads to the severest famine. The people are wonderfully self-sustaining. The small farmers especially, when they have some sort of security of tenure, obtain much credit. It is the landless classes who suffer soonest and most—weavers (a down-going class in India), artisans, and labourers. Even they manage to hold out somehow till extreme panic prices are reached. So it was that things did not come to their worst till the year 1866 was far advanced, and, notwithstanding appeals from the local officers, missionaries, and others, and an agitation in the Calcutta press, resulting in considerable private subscriptions for relief, the Bengal authorities refused to take any serious action on the part of Government till an extreme of famine was reached in May. Even then they were slow to realise the full extent of the calamity, and before anything effective could be done the monsoon broke, and Orissa was sealed up for several months. There was terrible suffering through the months from May to October. Yet it is a curious fact, showing what even a moderate amount of security of tenure does, that in the very height of the famine the cultivators of Orissa found seed to sow their fields, and managed to carry on the cultivation almost as usual. In October the Government were pouring in large supplies of grain, and some local supplies hoarded by the dealers were brought out; but by that time a good new crop was coming in, and the famine ended almost as suddenly as it began, except in some places where there was damage from excessive floods. Clearly we were bound to report that timely measures had not been

taken to meet the evil. But the causes of that failure—that was the disputable question to which our inquiry was principally directed.

The geographical causes already explained sufficiently account for the failure from June onwards. But why was not the danger realised by the Government earlier?

We found that this was due to a combination of several unlucky circumstances; we could not put all the blame in any one place. Speaking generally, the local officers did their duty as well as could be expected. Two out of the three officers in charge of districts urged the need of action actively and repeatedly, especially Mr. Barlow of Pooree.

The following may be stated as the principal causes of the delay in Government action.

There had not been serious famine in the provinces under the Government of Bengal for nearly a hundred years; since the great famine of 1769-70. Famines there had been in other parts of India; but old Bengal officers had come to look upon such a thing as improbable, or almost impossible, in Bengal in modern days. Then the Bengal system of administration was quite different from that of other provinces in the absence of executive machinery and of statistical information. The theory of the permanent settlement was that the Zemindars were to do everything, and when it was found that they entirely failed they were relieved of their duties, and nothing else was substituted. The land revenue was collected by an automatic process of simply selling the estate if money did not come in. And for the rest there grew up in Bengal a *laissez-faire* system, or want of system, the very opposite of the active and paternal administration which has prevailed in all other provinces.

It was peculiarly hard that Orissa should have suffered from this Bengal want of system, for a totally different system had been designed for that province. Although we nominally acquired in the last century the Diwanee (or civil government) of the conjoint provinces of Bengal, Behar,

and Orissa, yet Orissa was then in the hands of the Mahrattas, and we did not obtain possession till later, when the permanent settlement had fallen into discredit. Orissa was not regularly settled till some time after 1830, when a very distinguished officer, the late Sir Henry Ricketts, settled it in full accordance with the views then prevailing in other parts of India. The settlement was first made with the Thanee, or standing ryots, whose rents were fixed for the term of the thirty-years settlement. Then contracts were given to the head-men, but without the proprietary rights of landlords. Those indigenous institutions, the village accountants and registrars, were organised, and arrangements made for the annual filing of village accounts and papers in the most approved style; while the superior registrars, the "Canoongoes" were also put on a thoroughly organised footing.

But this whole system was entirely contrary to the views prevailing in Bengal; the Bengal administrators would have none of it. They soon reverted to the Bengal pattern and *laissez-faire* system. The Patwarees (accountants) and Canoongoes were discouraged, and eventually were even prohibited from filing their papers; the contractors for the revenue were turned into proprietary Zemindars after the Bengal pattern, and the theory (so continually belied) was adopted that they were to perform the functions of British landlords, be an earthly providence to the ryots, and help them in all difficulties: with the result that a large proportion of them failed, were sold up, and were replaced by purchasers — absentee Bengalee landlords. Consequent on this system, it came about that the Government had just as little information about agricultural and other affairs in Orissa as in any part of Bengal. The Zemindars oppressed the ryots, deprived them of many of their privileges, and entirely failed to assist them when famine came. But, nevertheless, native institutions exist through great difficulties, and the security of tenure to which the Thanee ryots were entitled, under Sir H. Ricketts' settlement, materially contributed to enable them

to sow their fields and continue the cultivation in spite of the famine.

In addition to the defects in the system, the personal idiosyncrasies of the highest Bengal officers at the time of the famine tended to aggravate the evil. Sir C. Beadon, the Lieutenant-Governor, was a man possessed of many admirable qualities, with no inclination to harsh judgments or ultra-doctrinaire principles. But he was of an extremely sanguine disposition; very slow to believe in evil. It so happened that, for other purposes, he made a tour in Orissa in the cold season after the failure of the crops. There was already acute distress in several parts, and some of the local officers most strongly pressed on him the need of large measures of relief; but he preferred to believe those who were incredulous and not to go beyond small relief works. Later in the season alarming reports had reached Sir John Lawrence and the Government of India, but Sir Cecil Beadon assured them in positive terms that there was no fear of anything very serious,—that all that was necessary had been done; and they made the customary move to Simla after this assurance from the responsible governor of the affected province.

The members of the Board of Revenue were of a different character, — not unduly sanguine or inclined to make light of threatened evil,—but they held by the most rigid rules of the driest political economy, and had the most unwavering faith in the "demand and supply" theory. In a pharisaical spirit, too, they believed that Bengal was not as other provinces. They negatived the proposal of the local officers that a systematic inquiry should be made into the extent of the failure of the crops and the shortness of the stocks. When it came to proposals for importing grain, both the Government and the Board decisively rejected such an idea almost with horror. In their zeal for free trade and supply by private effort, the Board did not realise that trade, like a good many other things, is slow to fall into new channels, especially in a very backward country. Where a trade exists it is stimulated and

increased by an increased demand; but where a trade does not exist time is required to create it. The only grain trade known in Orissa was export to distant parts. An import trade in grain was unknown; there was no machinery for it; no one quite knew how to set about it, and before the demand had created any effective supply the famine was at its worst and the monsoon had made import impossible. Relief works for the able-bodied were allowed pretty early in the season, but they were on a comparatively small scale, and it was rigorously insisted that the labour must be paid in cash, not in food; while, for the infirm, reliance was to be placed on private charity. The Zemindars were expected to give any necessary aid to their ryots.

An extraordinary incident, throwing a melancholy light on the state of things, was this:—After the failure of the Orissa crops was known, and when the district officers were raising the first alarms and suggesting the importation of grain, it so happened that a large ship, carrying rice from Bengal to another part of India, was blown ashore on the strand at Pooree—the most distressed part—and became a total wreck. The cargo, however, was saved and stored upon the shore; it seemed a kind of special interposition of Providence. The magistrate was keen to buy it and use it to feed his distressed labourers. But there were difficulties of red-tape, there were questions of liability for the value of the ship between the owners and the insurers of the ship and cargo, and both of them were far away. The Government, too, were far from keen to do anything so unorthodox. In the end, the grain remained for many weeks, till the end of February 1866, guarded from the people by the Government police, and then, nothing having been settled, the captain actually reshipped it in native craft and carried it away to its original destination, to be there sold and put to the account of whomever might be entitled to the price.

Time went on, and nothing effectual was done till it was too late. Even when the famine became most acute, the Bengal Government were far from recognising the full

extent of the evil. The people of Orissa, the Ooryahs, are a peculiar people — old Hindoos, quite different from the Bengalees and without their English education and newspaper press — they did not make themselves heard as Bengalees would have done.

Evidently we could not but report that adequate measures of relief had not been taken, and that for their absence, blame must be distributed among a good many people.

When we came to the question of the measures to be adopted to prevent such disasters in future, our recommendations were much of the same character as those afterwards adopted by the larger Famine Commission which was appointed a dozen years later. Our inquiries led us to believe that the differences of climate, rain supply, and crops are such that severe famine has never been known to prevail all over India at the same time, or even in the greater part of India.

I found very clear contemporary records of the great Bengal famine of 1769-70, but that was for the most part confined to the provinces under the Government of Bengal.

In Behar there were two bad years in succession, but in Bengal there was only a single rice failure similar to that in Orissa; and in parts of Bengal there was a very sudden outbreak of extreme famine in the summer of 1770—exactly like that which occurred in Orissa in 1866, but on a larger scale. The horrors of that famine greatly impressed our officers, then new to such things, and the statements handed down in all the histories represent it as being of terrible dimensions. It has often been repeated in histories that fully one-third of the population of the Bengal Provinces died, and that much of the country was so desolated that it did not recover for a generation.

The official accounts of the time led me to believe that in this there was a good deal of exaggeration. If the mortality was indeed very great in some parts of Bengal, other parts were not nearly so much afflicted. And the generally received accounts of the extreme desolation of the country seem to be negatived by the official figures, showing that

while during the famine years, 1769 and 1770, five-sixths of the ordinary land revenue was duly collected, in the following years, 1771 and 1772, the collections were actually larger than they had ever been before. My impression is that the retrogression of some parts of Bengal, which is evident even to this day—some of the sites of ancient capitals having relapsed into jungle—is due not so much to one sudden famine or other cataclysm, as to the gradual change in the courses of the great rivers affecting the drainage, and making certain districts very unhealthy.

The great famine in Northern India of 1783, of which I encountered the vivid recollection in 1846, even allowing for traditional exaggeration, must have been very desolating —there must have been a great deal of truth in the desolated sites of old villages which I was shown, and the very circumstantial accounts of suffering. But that famine was not at all felt in the Bengal Provinces, nor were any of the famines which occurred in any part of India between that time and the date of our report so extensive and severe as those which I have just mentioned.

Our view was then, that looking to the improbability of a general serious famine, India, under the conditions prevailing at the time of our report, could always feed itself if there were sufficient means of transport, and money enough to buy grain. In this view we dwelt much on the necessity of efficient means of communication as the best means of prevention — new railways through populous districts — doubling the existing lines where the traffic was very heavy —feeder roads, and making the canals navigable; and for Orissa specially, improvement of the harbours. Then we very much pressed the advantage of security of tenure for cultivators. Under the circumstances of Orissa we recommended the continuation of the settlement, then about to expire, without enhancement of rates, but we insisted that in that case the rights and liabilities of the ryots must be well recorded and adequately secured, according to the principles of the original settlement. We strongly condemned the proposal of the Board of Revenue, who in the

very report in which they clearly stated that the Orissa Zemindars had totally failed to do their duty in the famine, suggested in a "ruling spirit strong in death" sort of way, that to provide for the future, fixity of settlement should be conceded to the Zemindars, and remissions and advances should be given to them "to enable them to assist their tenantry," without making any provision whatever to secure such assistance, or to protect the tenants. For the Bengal Provinces generally we pressed the need of agricultural statistics and information, and sufficient district establishments for these and other administrative purposes.

In a separate note on the changes in the Bengal administrative machinery necessary to secure efficiency and safety, I suggested many things which I afterwards had an opportunity of putting in practice when I administered the Government of those provinces.

We recommended irrigation within reasonable limits, but warned the Government against relying upon that as a panacea for all evils. We showed that irrigation is most successful in dry districts traversed by rivers which have their sources in regions of heavy rainfall. We pointed out the distinction between such irrigations as practised in the flood season in Southern and Western India, and the dry season irrigation as practised in Northern India—also the distinction between deltaic irrigation and the irrigation of districts higher up the course of rivers—and between the kind of irrigation required for rice countries, and that required for wheat and other dry crops. Also we drew serious attention to the fevers and great unhealthiness which have attended irrigation in Upper India, and the necessity of very serious inquiry into that subject.

There was a large local question of irrigation in Orissa. Sir Arthur Cotton had obtained a great reputation by his success in irrigating the dry Eastern districts of Madras (which the south-west monsoon does not reach) from the rivers rising in the Western Ghats, and he wanted to apply the same system everywhere without regard to circumstances. There were similar rivers in Orissa, but the difference was,

that Orissa usually received a copious water supply from the heavens at the same time that the rivers were full. Taking no count, however, of that difference, Sir Arthur had succeeded in forming a large private company in England to establish a great system of irrigation in Orissa; and much progress had been made with the works when there came this famine, which seemed to justify the project. Still, looking to the rarity of rain failure, and the facilities for importing grain, if measures were taken in time, we greatly doubted if such extensive works would ever pay. We suggested a liberal treatment of the company—the offer of assistance in the way of loans, etc.—but we strongly advised the Government not to purchase the works, as had been suggested. A little time after, however, that happened which usually happens when British capitalists have put their money in losing concerns in India, people in London bullied and abused the Government to get the concern taken over, and eventually they were successful. The Government paid out the company in full, with an additional bonus, and have since expended a great deal more, making upwards of three millions sterling. From that day to this, the concern has hardly ever paid its working expenses, much less a farthing of interest on the capital. The cultivators obstinately refused to take the water (on payment) on any large scale. Among the chief persons who profited were the officers of the original company, who conducted the agitation that ended in the sale, and to whom the directors assigned the greater part of the bonus received from the Government.

Since that day, the unreasoning rage for irrigation schemes has given way to more balanced and rational views, but even yet, I hardly think that the subject is treated in a sufficiently scientific way. The question has long been raised whether water, without fertilising silt, as it is applied in Northern India, is not rather a stimulant than a fertiliser; and whether, without a sufficient supply of manure it will not exhaust the soil in the end—but that question has hardly been fully faced. Still less have the Government

and the engineers grappled exhaustively with the allegations, that the effect of irrigation has been disastrous to the health and the physique of some of the finest populations of India in the upper portion of the Gangetic plain and the eastern districts of the Punjaub territory. That is a very serious matter indeed. We are constantly told that only drainage is wanted to stop the unhealthiness and the destruction of large tracts by saline efflorescence. But the remedies always hang fire. And now the last census and statistical returns seem to show a startling deterioration in several districts.

Next we came to the more difficult and doubtful questions of the modes of relief most proper when famine appears to be really approaching. Acknowledging the charitable disposition of the wealthy natives, we thought that reliance might to a great degree be placed on them to feed the poor of the towns on the occasion of great calamity. And in the country where the rights and duties of Government had been transferred to landlords, we were disposed to insist on some effective fulfilment of those obligations. But we deemed it inevitable that when distress and disorganisation reached a certain point, the Government must undertake the responsibility.

Our view was, that regular public works, in which effective labour should be exacted for regular wages, were rather useful in the early stages of scarcity, to stave off famine as long as possible, than effective when real and severe famine had actually stricken the population. For the purpose mentioned we recommended the timely use of public works. But we said that, when famine is more fully developed, relief must be brought nearer to the people—work must be given to them near their homes, and a good day's work can hardly be exacted for a poor day's wage. The work must be made useful as far as possible, but after all, it must be to a great degree imposed as a test of need, rather than for value received. We discussed the pros and cons as to how far in such circumstances a certain measure of regular work can be enforced—whether full wages or a

sort of starvation allowances should be given—and whether famine wages should be given in money, grain, or cooked food. There is the constant dilemma, that if we are too liberal there are sure to be great abuses, if we are too hard the people may starve.

The question whether, and under what circumstances, the Government should import food, is equally perplexing. On the one hand, if Government undertakes such functions unnecessarily, or precipitately, a wholesome private trade may be killed. On the other hand, if Government abstains and there is no effective private trade, again the people may be starved in spite of Government work and wages.

In regard to all these questions, our view was, that it is impossible to lay down hard-and-fast rules applicable to all cases—those who are responsible must be guided by the circumstances in each instance, keeping in mind certain general considerations, on which we dwelt, and especially avoiding preconceived prejudices whether in the direction of trusting entirely to private free trade at any risk, or of necessarily undertaking everything by Government machinery. Judicious officers, free from such prejudices, might determine at the time how far one course, or how far the other, or how far a combination of the two might be best. We specially insisted that plans for public works, great and small, should be prepared beforehand, so that in case of need, the able-bodied might be employed on work more or less useful, while to those really unable to work, cooked food might be supplied.

It being evident that efforts on the scale which we thought necessary in the case of real serious famine must be very expensive, we then turned to the question of providing funds. We were agreed that a permanent poor-law is not desirable in India. In ordinary times natives are wonderfully self-supporting and good to one another. And up to a certain point superior landlords should assist their dependants. Beyond that point, the Government must supply the necessary funds. And we pointed out, therefore, that adequate financial provision must be made for a heavy

expenditure in famine relief at recurring periods, and that this must always be taken into account.

While thus making provision against famine, we warned the Government that such failures as had occurred in Orissa, and the consequent condemnation of the authorities who had not done enough, might lead to error on the other side, to premature and exaggerated demands. An instance of this was already occurring in regard to this very Orissa famine. After the harm was done, and when the evil was over, notwithstanding that a plentiful new harvest was being reaped in the autumn of 1866 in all but the specially flooded tracts, the Bengal Government poured in large quantities of grain, and provided relief at a very great cost, —nearly $1\frac{1}{2}$ millions. According to the subsequent Famine Commission this supply was mostly wasted. The Government grain lay unused till it rotted.

To avoid wasteful expenditure of the funds of the Central Government, we strongly recommended some localisation of the finances and some system of rating localities for their own benefit. Especially we urged the fairness and expediency of some system of local taxation in Bengal, which, under the permanent settlement, paid far less than its fair proportion of land revenue, and which might fairly provide for itself many things elsewhere provided by the Government. The express terms of the permanent settlement bound the Zemindars to maintain communications and embankments, to protect the roads, and to perform other governmental functions—and they ought not to retain all their rights while shaking off all their obligations.

In a separate note on the subject of permanent settlements, I repeated a view to which I have always inclined, viz. a permanent settlement on grain or crop rents, so that the revenue should be periodically raised in proportion to the increase or decrease in the value of the main staples.

Our report was considered and approved, and eventually (though not immediately) led to large changes in the Bengal system, as well as to some wider changes. But on the immediate question of the mode of dealing with famine, the

idea rather prevailed that this Orissa failure was a personal failure which need not occur again. And in respect to some of our recommendations, the Government rather slept till they were aroused by subsequent larger famines and greater expenditure. Then a larger Famine Commission was appointed, whose inquiries extended over a much larger area, and to whose recommendations more complete attention was paid. Yet I cannot but think that in the main we anticipated most of their conclusions.

CHAPTER X

THE CENTRAL PROVINCES

Sir John Lawrence had been ready to give me a Chief Commissionership if nothing higher was available, and provided I could get rid of my character of judge—and after the Famine Commission was ended, he pressed on me the acceptance of the Central Provinces. I hesitated a good deal. I was entitled shortly to retire on an annuity. I had had a long spell of work—was rather home-sick, and hardly thought a Chief Commissionership sufficient promotion. Seeing how great a function the Chief Commissioner exercises, it now seems rather folly that I should have had such ideas at the age of forty-three;—but then I had come to a sort of kingdom in the Cis-Sutlej States at thirty-one, and now I seemed to myself very mature. However, I formally resigned the judgeship of the High Court, in accordance with the previous stipulation that I should be entitled to do so, and I was then gazetted Chief Commissioner. When I accepted the office I had told the Governor-General that I must go home for a little time, and that I was not sure that I should stay in the Central Provinces very long. But he was very kind, and humoured me in that respect; I was appointed on my own terms. In the spring of 1867 I went home to complete my famine inquiries and see my family.

That reunion, however, was much damped by domestic losses. A few months before both my brothers had lost their wives, and very shortly before my return my very dear

youngest sister died. I was then in London little more than to enable me to look up the old famine papers in the India Office, and get materials for my final report, which I shortly sent in.

For a short period in the summer I occupied Edenwood, which some years before had become entirely my own—my obligations to the trustees having been finally paid off—and I occupied myself for a little time with local affairs. The British Association was at Dundee, in my immediate neighbourhood, that year, and I there saw the last of a very eminent man—long the very intimate friend of my family—the late Sir David Brewster. He was a very kind friend to me to the last. I remember an incident at that Association meeting which amusingly illustrates the relative change of position when Indians come to this country and are made much of. There was at the meeting a distinguished Parsee gentleman, a judge of the Small Cause Court at Bombay, who put himself a good deal in evidence. As both a local man, and so lately a judge of the High Court in India, I thought myself bound to be civil to this Indian stranger and judge, and I introduced myself to him with that object. He was most polite, and expressed his pleasure in making my acquaintance, and immediately added—"Can I do anything for you?" I felt rather sold!

That year I bought a house in London, settled my family there, and returned to India early in the autumn. One of my fellow-passengers to Bombay was Dr. Norman Macleod, with whom I had a good deal of intercourse, of which I have a very pleasant recollection, and which was continued at intervals in subsequent years. I took charge of the Central Provinces from the time of my arrival in Bombay, and thence found my way to Nagpore, accompanied by my brother John, who was Judicial Commissioner of the Central Provinces, and had at one time acted as Chief Commissioner for a while.

I did not stay very long, but I set to work in a somewhat "new broom" style, giving myself a sort of special mission to look into everything, so that in a short time I

touched all the branches of the administration. I felt myself restored at length to my real line of work, after a long wandering in the judicial wilderness.

The Central Provinces are now an old established administration, but it was then recent—of only a few years standing. That Chief Commissionership was a sort of patch-work made up of a large variety of countries and peoples. Originally the Indian Presidencies were separated from one another by a great mass of native States. Later, at various times, several territories in the central parts of India fell into British possession, and at last it was found possible to unite them in one administration, to which the name of the Central Provinces was given. The result was a junction of the various British territories in India, while the native States were broken up into several disjoined groups, separated from one another by British possessions. We were thus for the first time enabled to approximate to a certain uniformity of administrative arrangements in regard to salt and customs and some other matters. The Central Provinces march with every other administration in India except the Punjaub. I here briefly note the various territories. What were called the Saugor and Nerbudda territories were acquired after the Pindaree War as early as the year 1818, and administered as Non-Regulation Provinces. The Saugor country is a high plateau country more or less adjoining the North-West Provinces, south of the Jumna, and in parts a good deal intermixed with native States. The Nerbudda territory is the long rich valley of that river comprising several districts. All these are Hindoostanee countries. The high land north of the Nerbudda valley is the famous Vindya range, so well known as the ancient boundary between North and South India. But it is in modern conditions somewhat a fraud—it is of no considerable height, and the northern population have overflowed into and fully occupied the Nerbudda valley. The Satpoora range, south of that valley, is much more considerable, and much more of a real boundary. It is still largely occupied by aboriginal races, and separates Hindoostan from

the Mahratta and southern countries. Beyond the Satpooras on the south there is a broad, fine and fertile country, the Nagpore country, the headquarters of the famous Bhonsla Rajahs, one of the greatest of the Mahratta houses, which once ruled right across India from the borders of the Bombay country almost to the Mahratta ditch at Calcutta.

On failure of heirs, the territory was annexed by Lord Dalhousie in 1853, and it was administered in a makeshift kind of way until Nagpore became the capital of the Central Provinces. This Nagpore country is altogether occupied by a Mahrattee-speaking population. We call them Mahrattas, but then, what is a Mahratta? That is a question I have never been able to solve. At any rate, these Mahrattee-speaking people of Maharashtra are practically the same in the Central Provinces as in the adjoining Bombay districts. But farther east, what is called the Chatteesgurh country has been largely colonised by Hindoostanee people. To these districts was added the Sumbulpore district, an Ooryah country transferred from Bengal on the east; also Nimar, a district on the west adjoining Bombay, where we came in contact with the Bheels and other western aborigines. On the south some Teloogoo country was added, tracts on the Godavery ceded by the Nizam, and then transferred from Madras, to which they would naturally have belonged. We had also a mass of tributary States running down from the Nagpore country to the Eastern Ghats, and marching there with the Madras districts of the Eastern coast, while farther north they marched with the Bengal tributary States. In those Eastern tracts, and in some other parts, we had a large aboriginal population. Besides the jungly districts, the habitat of wild tribes, a considerable country between Nagpore and the Nerbudda had gone by the name of Gondwana, having long been ruled over by a tribe of civilised Gonds, who formed a sort of Dravidian nationality, though not usually classed as such. The ruling family had become Mahomedans, but in features still bore a decided non-Aryan stamp. They were the

immediate predecessors of the Mahrattas in the sovereignty of that country. I pointed out to travellers who were with me a fine stone in which I took a utilitarian pride. It had marks making it a sort of history of that country. Those marks showed its successive use by Hindoos, Buddhists, Mahomedans, Gonds, and Mahrattas, and we had finally made a good use of it as a prominent stone in a big railway bridge. Curious monuments of a different kind are the stone circles which are very common in parts of the Central Provinces, something like Druidical circles; some of the stones have curious carvings. Their origin is unknown, but they are supposed to have been connected with the ancient herdsmen—gaolees or cow-men, the earliest Hindoo invaders of the south, and some people think that they are not religious circles, but cattle-pens.

Besides the civilised Gonds there are very many tribes of wild Gonds in the Eastern tracts, also Khonds (the people notable for human sacrifices), and the naked Baigas; and in the Satpooras the Kolarian tribes in the centre called Koorkoos, and the Bheels in the west. With my taste for ethnology, I have looked upon it as rather a fortunate circumstance that between Bengal and the Central Provinces it has fallen to my lot to rule over, I may say, nine-tenths of the unconverted aborigines of India.

Many of the chiefs of tributary States are avowed Gonds and Khonds, while some claim to be Rajpoots of sorts who have come in like Normans, and become chiefs of the local tribes. There is no doubt a good deal of intermixture of blood, and the so-called Rajpoots are still inducted by a ceremony of inoculation with the blood of the aborigines.

Near Nagpore, the capital of the Central Provinces, is the large cantonment of Kamptee, then garrisoned by troops belonging to the Madras Presidency under a Madras general. Though the Central Provinces are united for purposes of civil administration, they are divided for military and some other purposes. The Madras army

occupied the southern portion, the Bengal army the northern, and the Bombay army the western districts about Asseerghur.

The Nerbudda valley is mainly a wheat country. Wheat is also largely produced in Chatteesgurh. In the southern districts there is a large rice cultivation, water being stored in splendid tanks or artificial lakes—the most creditable engineering works of native times. The best indigenous cotton in India is that of Hingunghat, in the Nagpore country. The deep heavy black cotton soil of the Nerbudda valley produces wheat, but little cotton. The cotton chiefly grows on the rolling, undulating country where the heavy soil is greatly mixed and the mould is much lighter. I am afraid that no really good and healthy hill station has yet been found in the Central Provinces. Puchmaree is a pretty place, and good up to a certain point, but not perfect. There is a curious difference between North and South India, in that at the foot of the Himalayas in the north the country is most deadly, but at a very moderate elevation, certainly 1500 or 2000 feet, the malaria entirely disappears. In the south, on the other hand, it often happens that while the low sub-montane tracts are comparatively healthy, the jungly hill country, 2000 or 3000 feet high, is very much the contrary.

The administration of the Central Provinces was not put into very effective shape till a little time after its formation, when it came into the hands of that distinguished administrator, Sir Richard Temple, who mainly gave it form. Fortune so arranged it that he preceded me in the Central Provinces, and followed me in Bengal, and I hope that we treated one another's works fairly. Between his rule in the Central Provinces and mine there had been an acting interregnum. I was fortunate in finding a connecting link in the secretary, Charles Bernard, to whom I owed very much, and who afterwards joined me in Bengal; and I had with me my brother John, the Judicial Commissioner, whose presence made my stay pleasant to me. My first

work on arrival at Nagpore was to meet Sir William Mansfield (Lord Sandhurst), to arrange with him about barracks and some other military arrangements, which we settled satisfactorily. I was glad, however, that I was not very long responsible for Central Province barracks, for a little later there was a scandal about fine new barracks at Saugor, which tumbled down soon after they were built. On inquiry it turned out that first-class stone had been provided for these barracks, and duly dressed at the quarries, but owing to some difficulties of access the contractor found it cheapest to transport them on the small donkeys of the country. For convenience of donkey-back, the stones were broken in pieces and so carried. No objection was made. They were patched up into walls somehow or other, with the result above stated.

After looking round the central offices, and taking a look at the country in the immediate neighbourhood, I went into camp, and started for a march round my dominions. After crossing the plateau country of the Satpooras I came to Jubbulpore, a pretty interesting place. I was there received with very great enthusiasm, and great popular demonstrations. I was a little puzzled; I could hardly flatter myself that my name and fame had really so much reached the hearts of a people among whom I had never been before, but yet there was an appearance of genuineness about it such as I had never seen in India. I modestly said to the District Magistrate riding beside me, "Who got up all this?" His answer was very simple—"I did." That is the way popular demonstrations are managed in India. Thence I marched down the whole length of the Nerbudda valley, accompanied by some English travellers of mark, who had joined my camp, and who made a pleasant addition. From thence I went on through the Nimar district, and arranged an exchange of some villages with Holkar, who was very anxious to acquire some ancestral villages in the Bombay country, where his family had been Patels before they rose to power. Hindoos, however high they may rise, have always a great longing after their

ancestral villages, and prize their hereditary village offices almost more than any uncertain rank.

Asseerghur in this part of the world is, I think, the most remarkable hill-fortress in India, or perhaps in the world. It rises to a very great height from the plain, with a sheer perpendicular precipice all round, and a considerable plateau at the top, where there are gardens, cows and sheep, and water, besides the military cantonment. I visited Mhow and Indore, and took a run into the Bombay country to have another look at Nassick, the place which I had designed for the capital of India, and to which I still inclined to adhere. On my return from thence I marched through the Hingunghat country to the Godavery, where I had a special commission to make inquiry. In the Chanda district I came upon the Teloogoo population, and a country well managed by an excellent officer, Captain Lucie Smith. Thence marching on I saw something of the tank country of the Weingunga valley, and eventually returned to Nagpore as the warm weather began to come on.

With my usual interest in the land question, I lost no time in looking into that subject. Among the many different peoples of the Central Provinces there were great varieties of tenure and institutions. But it so happened in regard to the land that there was an identity in one very important particular; in none of the various provinces had proprietary landlords been previously established, on the contrary, claims to such rights had been everywhere negatived. As Sir R. Temple very clearly put it in his first report, "The identity of the various territories in this respect was very remarkable—the Government was everywhere the only superior landlord." Yet, when we look into the history of the matter, the identity is not so surprising. All these territories had in one way or other come under the influence of that reaction in favour of the ryots which took place in the first quarter of the present century. The Saugor and Nerbudda territories came into our possession soon after that time, and were administered as "Non-Regulation" territories under a Commissioner who acted

under the ideas prevailing in the North-West Provinces under Mr. Holt Mackenzie and Sir Charles Metcalfe. It was found that no real landlord rights existed, the settled resident ryots were deemed to have a preferential claim and a right of occupancy, the payments due from them being fixed by the direct authority of Government. For facility of collection, contracts were then given to the village headmen; but it was carefully stipulated that they were only farmers of the revenue, and had no proprietary rights beyond their own fields. These territories were long administered, before they made part of the Central Provinces, by Colonel Erskine, an excellent officer, skilled in land questions, and very much a protector of the ryots. He afterwards succeeded to the title of Earl of Mar and Kellie, and it is an instance of the curious way in which politics are inverted by change from India to British soil, that he, the champion of the ryots, lived in Scotland a decided Tory, while Sir C. Wingfield, the champion of the aristocracy and suppressor of the rights of ryots, sat in Parliament as a strong Radical.

In the Ooryah districts transferred from Bengal to the Central Provinces, the rights of the ryots had been similarly preserved, and no landlord rights created. It was the same in the district of Nimar, on the western border. In the Nagpore country, being mainly Mahratta in population, and the institutions being similar to those of the Bombay Mahratta districts where the Ryotwaree system had been adopted from the first, similar influences prevailed. The Government had so far dealt with the ryots through the village Patels (headmen). And it was the same as regards the small districts on the Godavery, with a Madrasee population. Thus it was that when the Central Provinces were formed a few years after the Mutiny, there was in all the component parts an identity in the absence of landlords and the protection of the ryots.

That state of things was very soon altered and reversed. It was just at the time when that wave of aristocratic ideas, to which I have before alluded as prevailing soon after the

Mutiny, was in full force. In no other provinces have these great and grave land questions been decided without very serious and prolonged discussion, lasting for years, and involving many references to the highest authorities. But in the Central Provinces this great question was settled by the creation of landlords all round, under Lord Canning's *régime*, almost without discussion, so far as I can discover, but quietly, as if it were a matter of course. I have seen no reason to suppose that Lord Canning himself paid any particular attention to the matter, but as in Oude, so in the Central Provinces, his Council were in favour of landlords, and he accepted that view. As Sir R. Temple says farther on in the very report from which I have already quoted: "It has recently been proclaimed both in the Saugor and Nerbudda territories and in the Nagpore Province that in future Government will relinquish its rights, and the ownership shall be vested in those who may establish a fair claim to it. The tendency of the proceedings is to confirm most of the farmers (*i.e.* farmers of the revenue) as landlords and superior proprietors."

In this Sir Richard only followed out the course prescribed by Government. And he was careful to make provision for the protection of the inferior holders. The long-settled ryots, who had been recognised in previous settlements, were to have something nearly approaching to proprietorship in their particular holdings, subject only to a quit-rent. And Act X. of 1859 (the twelve years' possession law) was extended to the Central Provinces for the protection of the ryots of an inferior tenure. That was the shape in which he left the question.

When I came to look into it, however, it turned out that the current of opinion had been running so strong in favour of landlords, and the executive officers were so largely influenced by it, that in most districts in practice the orders had been carried out in a very one-sided way. While both the Hindoostanee revenue-farmers and the Mahratta Patels had been turned into landlords (to the great astonishment of the neighbouring Bombay officers), the

orders for the protection of the ryots had been grievously neglected, and I may almost say evaded. The onus of proof had been thrown on the ryots, who hardly understood what they were expected to prove. Notwithstanding that formerly a very large class of privileged ryots had been protected by the settlement officers, this class was now narrowed to an extraordinary degree in districts where the officers were unfavourable to ryots' rights. In one district of the Nerbudda valley not a single proprietary ryot had been recorded, in others very few—and some officers more favourable to their claims complained that great injustice had been done to them.

Even as regards the ordinary occupancy right under Act X. there was in many districts a great indisposition to give effect to it—a course for which the orders of the Government of India were a good deal responsible. Sir B. Peacock's decisions, so much narrowing the occupancy right, had not then been reversed by the full court, and his *obiter dicta* countenanced the belief that tenant-right was an unfair detraction of the rights of landlords, the growth of which was to be jealously watched. Sir R. Temple took a very reasonable and judicious view. He said that, if the onus of proof was thrown on the ryots, they might not make it out, but "the general feeling among the people is that they have a sort of occupancy right;" and at any rate the law was in their favour, and must be observed. By this time Sir John Lawrence had become Governor-General, and I should have expected that he at least would have upheld the ryots. But other influences or compromises seem to have prevailed, and at the very time when he was fighting the battle of the Oude ryots, there came to the Central Provinces an order of the Government of India, dated 22nd December 1864, stating that the Governor-General in Council agreed with those who thought that the twelve years' possession was too short a term to give right of occupancy, and in view of the probability of an early modification of Act X. of 1859, the ryots were to be warned that their holdings were to be subject to any future modi-

fication of the law. That modification, in a sense unfavourable to the ryots, never came. A year later Sir B. Peacock's doctrines had been judicially removed, and there were signs of a turn in the tide of opinion. But still all that had passed acted very unfavourably on the position of the ryots, and I was convinced that in 1867 there was great danger that their rights might be largely over-ridden and extinguished in the Central Provinces. I occupied myself to set this right. Sir John Lawrence, after what had passed in Oude, was slow to move in the matter, but there really was no need of more than a due execution of the existing law and orders to safeguard the ryots, so far as was possible, after landlords had been put over them. I insisted that full effect should be given to the rights of sub-proprietary tenants and to the plain provisions of Act X. of 1859. In truth, too, the current was turning, and I found many officers most ready to give effect to my views. The Settlement Commissioner, Mr. Morris (afterwards Chief Commissioner and Sir John Morris), loyally accepted them, and carried them out—the impetus which I gave was continued after I left, and a fair measure of justice was attained. A large proportion of the ryots were recorded as having rights of the higher or lower degree. Later, in 1883, Act X. of 1859 was superseded in the Central Provinces by a new law very favourable to the ryots, and only complicated by certain reservations introduced to save the rights of landlords treated more tenderly than Irish landlords. Large classes of ryots are by that new law put on a quasi-proprietary footing, and various provisions are introduced for the equitable protection of the remainder. By the latest accounts about three-fourths of the land of those provinces seems to be held by cultivators and owners on a fixed and secure tenure. I hope that my intervention during a short reign has not been in vain.

On the other hand, late reports seem to show, with regard to the rights of the superior landlords, that much of what was lightly got has been lightly lost. A large pro-

portion of these rights have already been transferred to new men by various processes.

The more I follow out the subject, the more extraordinary appears the craze for creating landlords in India, which has at various times broken out in so many provinces. But in other provinces there was generally some pretext for such a course — some people existed whom English ideas might plausibly convert into a sort of hereditary lords, and the rights of ryots were ill-defined and uncertain. In the Central Provinces alone was a previous settlement of the question directly reversed, and landlords created without any pretext other than an aristocratic sentiment prevailing at the moment. In former days it was possible to imagine that Zemindars would perform the useful functions of British landlords, but a long experience had shown that this hope was wholly disappointed, and that nothing of the kind was to be expected. It is intelligible that some should advocate the claims of old ruling chieftains and families, but when such claims do not exist, why should we go out of our way to create landlords who are mere rent-eaters? As Sir C. Metcalfe put it long ago, "such men are a fiction created by ourselves, who serve no good purpose, but only lead to confusion and injustice," and I have elsewhere said, "the place in the designs of Providence of the landlord who puts nothing into the soil, but only takes the rent, it is hard to understand." I do not think that any one can look as I lately have into the present Rent Acts of the various provinces—Bengal, the North-West Provinces, Oude, the Punjaub, and the Central Provinces—by which the rights and claims of the ryots are regulated, and see how extraordinarily complicated they are—the Irish Land Acts are simplicity itself compared to them—without feeling the enormous embarrassments in which we have landed ourselves. We find ourselves obliged to protect the ryots, and must do so by tortuous methods, without too directly impugning the sacred rights of property which we have in most cases ourselves created, in a mere enthusiasm of landlordism. If we had only

refrained from doing that, we might have arranged matters much more simply and easily. At the same time, I doubt whether it was desirable at once to give to the ryots complete peasant property without any homestead law, such as in America and elsewhere protects homesteads from sale. The troubles in the Deccan and elsewhere show the need of nursing and protection. I more and more think that the best system is that advocated by Sir C. Metcalfe and his contemporaries, and which we found in force when the Central Provinces were formed—the gradual bestowal of rights on the ryots, and their management through indigenous village head-men, but the maintenance for a time of the tutelage and control of Government officers.

My view, in favour of security for the cultivators all over the world, is founded not only on justice and the happiness of the many, but still more strongly on the purely economic ground that no landlord can efficiently supply the improvements, buildings, and requirements of very small farms without great expense and much waste, and that to enable small farmers to do these things cheaply and roughly for themselves they must have security of tenure, whether in India or in Ireland. Many friends of ryots and small tenants hardly realise that view. I account for Sir J. Lawrence's practical surrender in Oude, and for his readiness to surrender in the Central Provinces, by supposing that, accustomed to the strong villages of the Delhi country, he rather fought for the maintenance of the rights of superior yeomen, than realised the economic arguments in favour of security for the mass of the cultivating ryots.

I was active in other departments also. Everywhere I have struggled against the disposition that prevailed after the Mutiny to give the police a military character, after the Irish model, and to remove their personal control from the authority of the head of the district administration. In the Central Provinces, too, I made considerable changes towards dividing the police into a military body available for quasi-military purposes and a civil police entirely under the control of the district-magistrate.

I occupied myself about municipal institutions, not only striving to preserve and foster the indigenous village institutions (the truest municipalities), but also doing a good deal to put town municipalities on a good footing. I think I was the first to make a beginning of the election system in the management of towns. In the department of education I did all that I could to foster elementary education among the masses, also started some new higher schools, and to the utmost of my power encouraged and extended the artisan technical schools which had been initiated by Sir R. Temple.

As an old customs officer, I carefully examined the customs system, under which great preventive lines, running for many hundred miles through the Central Provinces, fenced one part of India off from another. I found that great abuses prevailed on these remote and loosely-guarded lines, and made representations which led to an immediate approximation of the salt duties to a considerable extent, and the eventual abolition of the dividing lines. I overhauled the excise department, and did all I could to substitute a regular and heavy liquor tax for laxer methods, and regular trade licenses for the capricious taxation of non-agriculturalists handed down from native times.

I was directed by the Government of India to examine Sir A. Cotton's proposals for great irrigation schemes in the Central Provinces. He wanted to make the Godavery navigable throughout its course, and a great highway of commerce, by removing the barriers which obstructed it; and the deficiency of water during the greater part of the year he proposed to cure by the construction of enormous reservoirs, on an unprecedented scale, on the upper basins of its affluents, from whence also a magnificent system of irrigation was to be derived.

On looking into the matter I found that the so-called barriers of the Godavery were really long stretches of rocky and utterly unnavigable channel, which could only be surmounted by canalising a great portion of the river on a large scale and at a very great expense, and that even if

this were done, the river would be navigable but a small part of the year. I found also that the bulky traffic of the Central Provinces flowed west, not east—its surplus grain was wanted on the Bombay side, not on the Madras coast, and the cotton and other valuable products had their natural outlet at Bombay. As to the great reservoirs, I discovered, to my surprise, that Sir A. Cotton had never himself worked out his projects, but had merely drawn lines on the map and said, "make them there," without any real examination whatever. I very greatly doubted the safety of prodigious embankments impounding enormous quantities of water such as he proposed, even if it were practicable; and seeing that we had already a very excellent system of irrigation on a less ambitious scale, and that there was no great necessity for another system, I was not anxious to incur the risk. I accordingly reported against the whole scheme; it was afterwards dropped, and has not been revived. The tide turned, and Sir A. Cotton ceased to be regarded as a prophet, though his name must always be inseparably connected with several very creditable works which he carried out in Madras.

Though I discouraged this water scheme, I was not neglectful of the necessity of communication in the shape of railways and roads. Again having regard to the westward (rather than eastward) flow of traffic, I did not recommend an expensive through line from Nagpore to Bengal, but only the light line to tap the Chatteesgurh districts which had been already suggested, and which was carried out a little later. It was not till recently that a Calcutta and London syndicate extorted from the Government a too liberal guarantee for the through line which has now been made, to their large profit, but, as I anticipate, to the temporary loss of the taxpayers of India. On the other hand, I much recommended a north and south trunk line, a sort of backbone to connect Northern India with the Southern provinces, through the centre of the country. I should have liked to see it run from Agra by Jubbulpore and the Nagpore country through Chanda to Hyderabad and thence to Madras and Mysore, but that

has not yet been achieved. For the rest I was in favour of a good many local lines to feed the trunk lines already made or sanctioned, rather than the multiplication of competing trunk lines. I see not why Government should subsidise various lines to compete with those already paid for, when the promoters really only look to the Government guarantee for their profit.

The soil of the Central Provinces is particularly favourable for roads, and much has been done in that way—more may still be done. There was a very successful use of what are called Irish bridges, that is, a sort of inverted bridge-causeways across fords, dry, or nearly so, for nineteen-twentieths of the year, and over which the water flows in flood-time.

I was especially anxious to develop and bring to market the coal of the Central Provinces, and my successor obtained sanction to the connection of the Southern coal-fields with the railway. But I learned a lesson not to be rash in developing resources by means of concessionaires. I found in a forward state a project for committing to a Firm of British capitalists, with a fine name, very extensive concessions indeed. We were told that to hinder them would be a wicked interference with British enterprise and the flow of capital. But I was sceptical, and insisted on knowing more about all this capital. On inquiry, it turned out that this great and rich firm consisted of two small road contractors who had been unsuccessful at Cawnpore, and had then assumed a distinguished *alias*, and come to the Central Provinces. Most people who go for concessions are men of straw, who only look to making a profit if the thing floats, or throwing it up if it does not, on the "heads I win, tails you lose" principle. A somewhat more substantial company was that which had obtained a concession of the Nerbudda Valley coal at Mhopanee. They got that concession on a contract for working iron. But when they found that the coal monopoly might be profitable and the iron would not, they clung to the coal contract, and begged off that for iron. I said it must be all or

none, but I am afraid the iron contract was never enforced.

There are very extensive forest tracts in the Central Provinces, but my impression was that most of the trees of the best kind had been cut before, that those now standing were second growths from the stools, and not so fine as when direct from seed. There was a Forest Department, comprising very good and zealous officers. Yet having paid some attention to trees from a practical point of view, I have always some misgivings as to the entire success of the Indian Forest Department. The Forest Department has always been rather petted at the India Office, and has got into the way of rather straining its functions and its revenue accounts. I have a good deal of sympathy with the complaints on this subject which have recently been made by the Bombay people;—the lands upon which the villages depend for grass, wood, and water have sometimes been too sweepingly appropriated for forest uses, and old-established revenues have been transferred and placed to forest credit. A gross revenue derived from cutting and selling existing timber is not net profit. I rather think full success will not be attained till more planting is done, and in my time not much success was attained in that way. I had heard of very successful teak plantations in Madras, but later accounts were not so favourable. Elsewhere I am not aware of much successful planting. Sir R. Temple had established an economic museum at Nagpore, which I did what I could to improve and extend by local institutions of the same kind.

I had not time to see much of the feudatory states. I was able to settle some local disturbances on the Madras border, and for the rest contented myself with letting things go on in the indigenous way, and collecting ethnological information. Nominally I held the Chief Commissionership for some three years, but in the bad weather of 1868 my health was indifferent. My home-sickness returned. I took long furlough, and did not return to that charge.

CHAPTER XI

FURLOUGH—1868-69-70

WHEN I came home in the summer of 1868 I found my family in London, and soon after we went down to Scotland, and occupied Edenwood, where I set about country pursuits. My youngest son was born there in that year. I very soon went into politics, too. Ever since the first Reform Bill, Fife has been a very Liberal county, but it took some time to convert the upper classes. Great progress had been made in that way since my youth. A great many lairds, the sons of Tory fathers, were now good Liberals, though perhaps somewhat of the old Whig persuasion. In fact, at that time Liberalism was rather fashionable among them. Still, among the more popular element of the electorate, there was a feeling that the management of affairs had fallen too much into the hands of a Whiggish clique of the landed gentry. There were some signs of a mutinous spirit, and it was thought desirable to introduce some new blood. It was arranged that the late Admiral Bethune of Balfour should retire from the Chairmanship of the Fife Liberal Committee, and I was, very unexpectedly to myself, suddenly put in his place as chairman of that committee at a time when, owing to long absence, I knew very little of local politics. Sir Robert Anstruther was then the sitting member, and I felt bound to support him, both as a good Liberal and as a man whom I personally liked, so I accepted the function. In truth, however, my position as Chairman of the Liberal Committee turned out to be little more than

nominal. I wanted a seat for myself in Parliament. A general election was then imminent. I had been in correspondence with the Liberal leaders, and I was proposed for Dumbartonshire, on the other side of Scotland, but then thought to be one of the most likely places for a Liberal to contest. Consequently I spent the next couple of months and more campaigning in Dumbartonshire, with only occasional visits to my home. In some respects that was a pleasant experience. The season of 1868 was a very fine one, and Dumbartonshire is a very pleasant country in fine weather, and much varied. Part of it is almost a suburb of Glasgow, so far as the residence of Glasgow people is concerned, but after passing the Vale of Leven, and the great manufacturing works there, the county runs up Loch Lomond right into the Highlands. It also comprises some of the best parts of the Clyde country. I rather enjoyed the new experience of a candidate petted by his party. I was supported on one side by a strong body of Glasgow Liberals connected with Dumbartonshire, and on the other by Sir James Colquhoun of Luss, the great Whig territorial magnate of the Loch Lomond country. My only trouble was a considerable jealousy between the Glasgow gentlemen and the Whig magnate. My opponent was Archibald Orr-Ewing, the great local manufacturer, and a genial, popular man. There was no very popular franchise in the counties then, and no ballot. I had to do much personal canvassing among the small farmers, and a good deal of "tasting whisky," which I found rather trying. I seemed generally to find the wives very sympathetic, but I don't know if they were equally so to the other side. I then for the first time came to know a good deal of Glasgow and Glasgow people. I was rather alarmed by what I heard of their strong objection to Sunday steamers, and profane trippers coming down the Clyde from Glasgow, and was rather anxious when, having to speak on Saturday afternoons, I could not get home to Fife for the Sunday. But when I came to experience the hospitality of those Glasgow houses down the Clyde, I found them exceedingly pleasant—their Sabbatarianism was con-

fined to keeping out the drunken vulgar; and in their own houses they were by no means over-sanctimonious. I had much support and guidance from the late Mr. Matheson of Cardale, a partner in the great firm of Stirling & Company, and from Mr. J. Stirling, a very cultivated man, not himself in the business. In Glasgow, Mr. Dalgleish, one of the then members, was a great character in those days, though not of the strictest sect. The Duke of Argyll has large property in Dumbartonshire, and Lord Lorne, then a very young man, was good enough to come over and give me active assistance. I think he then made his political *début*. It is a great mistake which English and Yankees make to suppose that modern Campbells or any other Highlanders much follow their chiefs. Though the great Campbell houses had for hundreds of years been the strongest of Whigs, I found on inquiry that nine-tenths of the Campbell gentry of those days were Tories. Among the rank and file I think Campbells were never very numerous, but there were a good many Campbell farmers in Dumbartonshire, mostly tenants of the Duke of Argyll. The Duke has always been an excellent landlord from his point of view of the contractual relation. No man has been more liberal in expending money on good farm buildings, and improvements made by the landlord on small farms; but somehow the small farmers do not seem to appreciate that sort of thing—they talk as if they would rather be left to themselves to manage things in an old-fashioned semi-Irish kind of style, and pay less rent.

I was then somewhat new to recent British politics, but looking back to the principles which I submitted to the electors of Dumbartonshire, I am rather surprised to find how consistent my politics have been all through. Then, as since, I declared that I was a good Radical, if not an irreproachable party man, and that in all climes and countries I was for the interest of the masses, and would promote measures for their benefit. I advocated an extension of the county franchise, and was very strong for a redistribution of seats. As the only means of defeating the use of money in elections, I consented to promise support of the ballot, which I had

not liked, nor had my father before me. I was very ready to abolish the Irish Church, and only wondered that that had not been done long ago; but I said that did not necessarily involve the disestablishment of the Scotch and English Churches, or go further than to acknowledge the principle that the income devoted to the Churches is public property. Disestablishment in Scotland was the only subject on which I required a good deal of education before I became a thorough disestablisher, and I always said that the case against the English Church was still stronger, and that there was no reason why the Scotch Church should have the precedence of abolition.

I was already very strong on the need of dealing with the Irish land, and giving legal effect to the traditional claims of the people to an interest in the soil; also I approached the British land question in a Radical spirit, and the reform of the game laws; and I was for universal and unsectarian education. In regard to foreign affairs I then, as continually since, urged the husbanding our resources for purposes of defence; rather depreciated the empire of the colonies as not really in practice British possessions, but proposed to keep and make the most of India.

These views seemed to be favourably received at many meetings throughout the country, and at a great meeting in Glasgow. Only when I got to the upper end of Loch Lomond, into a purely Highland country, I found the audience rather dull and unappreciative. Many great subjects failed to rouse them, and I thought the fault must be with them. But at last I hit on the collie-dog tax, and then there was a roar of appreciation, and I recognised that I had hitherto failed to strike the right key.

Things seemed to be going prosperously with me, notwithstanding the strong personal opposition of my opponent, and our canvass showed a decided majority. But one day my experienced agent took me aside, showed me his figures, and the majority they indicated, but proceeded, to my surprise, to say that from his experience of electoral human nature in many elections, he calculated that of those who promised, a

very considerable percentage would not vote when the time came, and a smaller percentage would vote against me—making these deductions, I should lose. I was considerably taken aback, though I could not but feel that there might be justice in his estimate of human nature. It turned out that my Glasgow supporters advised my withdrawal, and to cut the matter short I did withdraw. They very handsomely paid all my expenses, and left me free to go back to India; whereas, if I had gone to the poll, I must have resigned the Civil Service. The Whig magnate threw out dark hints about Glasgow conspiracies, but as the matter turned out, I am not sorry that I retired. I was offered the candidature of several other places, in more than one of which the Liberal candidate was successful in the great Liberal victory of 1868. But a burnt child fears the fire, and I did not try it again, but retired to my home and family in Fife. There we received visits from many relations and friends, and I occupied myself with tree culture, in the form of cutting down trees, and some other pursuits. My father planted largely, but at that stage of growth it really was the best culture largely to cut down and thin, and then an improvement of that kind, opening vistas and all the rest of it, is much more rapid than the growth of the trees which you have yourself planted. At the same time, cutting requires great discrimination, and in those years I flatter myself that I acquired a good deal of rough knowledge, and could distinguish sound from unsound trees, and likely from unlikely ones, better than most people. Later in the autumn the Fife election came off; there was a contest between two Liberals, and I had some qualms to find myself in opposition to the then ultra-Radical, Mr. Boyd Kinnear. But I was satisfied with Sir R. Anstruther's soundness, and went through with it. That was about the last of the old-fashioned elections, the hustings, the rotten eggs, and all the rest of it. At Ladybank and some other places, some of Sir R. Anstruther's supporters were very roughly treated going to the poll, but he was returned by a large majority in the end.

Later, after the elections, I was in Edinburgh for a little while, and delivered two lectures at the Edinburgh Philosophical Institute, as well as lectures at Cupar and St. Andrews. I was again in Edinburgh to give lectures in the following winter. Though constantly passing through, I had really known little of Edinburgh since I was at school there as a very small boy. On those occasions in 1868 and 1869 I saw something of the modern remains of the old Edinburgh style of social intercourse. In one or two houses an attempt was made still to keep it up. My host, Mr. Thompson (an eminent engineer), and his wife brought together some very agreeable people at their house in Moray Place; and Lord Neaves, a relic of the olden time, combined the dignity of the ermine in court with songs and social qualities in private life worthy of his predecessors. Edinburgh, too, was then full of many of my Scotch relations—they are almost all gone now. An early frost enabled me to revive my recollections of Duddingston Loch and the skating there, but somehow it did not seem such a very magnificent piece of water as in my early youth.

In the winter we were again settled in London, in St. George's Square. I occupied myself with literature and learned societies, varied by visits to Manchester, where I learned something of cotton; to Devonport, where I learned something of naval affairs, and to one or two other places. My family were then of tender years, and we were all together at home.

In 1869 my main study was the Irish land, which I tried to deal with as an impartial outsider, and at the same time an expert in these matters. I made a long tour in the spring, and another in the autumn, receiving many kindnesses and many facilities for acquiring information. Lord Spencer was then Viceroy—he was an old friend of my cousin Dudley Campbell, who was with me, and we spent some days at the Viceregal Lodge. At Dublin I made the acquaintance of Judge Longfield, Dr. Handcock, Mr. Macdonnell, and others, who all did much to assist me; and, through a friend who had rented Edenwood, I became

acquainted with the Trenches—the author of *Realities of Irish Life*, and his son, agent to Lord Landsdowne in the south. I had friends in Ulster, relations of my wife, and others; and at various places in the south-west and centre I came in contact both with some of the best managers of estates, and very much with a peasantry who talk English or Anglo-Irish. I never can enjoy travelling thoroughly unless I understand the language of the people, as I did in Northern India, and do in America and Ireland. A very pleasant visit was to Comte Jarnac at Thomastown, in Tipperary. His wife was a connection by marriage, and he was then in retreat on the property which he had inherited through his maternal ancestors, hardly expecting, I think, that the turn of the tide would make him again Ambassador in London—as he afterwards was. He was a very charming man, and his wife seemed to know all the people of Tipperary town, where she drove me and introduced me to them. I also saw the Dillon, Portsmouth, and other estates. The result was the little book, *Irish Land*, which I published after these visits, and which attracted a good deal of attention at that time. Besides personal inquiries I read up the history of the matter, and found a mine of information in the reports of the Bessborough Commission, which had been so long neglected.

The conclusion I came to was that human nature is much the same all over the world, and that the same causes, I may say natural causes, which produce that moral claim to tenant-right which I had advocated in India, had equally operated in Ireland, as shown by the Bessborough Commission and all that I myself had learned. I drew the distinction between the law of the lawyers and the "*ἀγράπτοι νόμοι*," the unwritten laws seated deep in popular sentiment. And comparing the Ulster custom, so well established in practice though not in law, with the more inchoate and uncertain customs of the south, I concluded that, in a country where the buildings and improvements are usually the work of the small tenants (representing in the mass the ancient inhabitants of the country), there was

a claim to security of tenure at a rent, not assessed on improvements, such as we have recognised in most provinces of India,—a claim founded not only on tradition and justice, but also on the strictly economic ground to which I have before alluded, viz. that in this way only can very small farms be well worked and improved. I advocated, in fact, not only the right to improvements made by the tenants themselves, and the compensation for disturbance, soon after conceded (in 1870), but also that right of occupancy at a fair rent, which was later conceded in 1881. I put my proposal as being "the Ulster custom and something more."

That little book was a successful publication. It seemed to be much read, and I received many kind notices and compliments on it. I think Mr. Gladstone did me the honour to quote it a good deal. Few people yet went the whole length with me. Public opinion was not yet so far advanced, but many went a long way on my road, and greatly sympathised in my views. The more the subject was thrashed out, the more people advanced.

To no work that I have done do I look with more satisfaction than to that little book on the Irish land. I have long been convinced that security of tenure and a thrifty peasantry are the best hope for Ireland. That boon has been conceded at last—the misfortune is that the concession was not made with a sufficiently timely generosity to satisfy reason and policy, but had rather the appearance of being extorted, bit by bit, by agitation. That is a main reason why it has produced no gratitude, but a continual demand for more. If there had been no Bessborough Commission, knowing, as I do, the superstition of English lawyers to be as great as that of theologians, I should not have been surprised by the delay. But after the excellent exposure of the situation by that strong commission appointed by the British Government themselves, it does seem astounding that not only was no advance made in justice to the Irish tenants, but that the very retrograde Act of 1860 was passed—resolving all doubt by the

declaration that no holding by tenure should be recognised, but that every holding should be deemed to rest on contract only. That was the triumph of the plutocrats and false political economists. Even when the tide turned it was a pity that it needed the chapel bell of the Manchester murders to secure the concessions of 1870; and again that the more complete settlement of 1881 was not conceded till the agitation was so great that even that concession did not put a stop to violence and extreme demands. In my view, that settlement of 1881 was complete in principle, and, some details apart, might have been final. It recognised the right of occupancy and right of improvements, and exacted only the unearned rent, which, in principle, must belong and does belong in all old countries either to the State or to the assignees of the State. To avoid taxing improvements and labour, the rents so exacted must be something below its utmost limit—there must be left some margin to cover inequalities; that reduced unearned rent is my idea of the "fair rent," whether in Ireland or in India. To my Indian ideas the Act of 1881 went even too far in including all tenants, great as well as small, and the tenants of yesterday as well as the well-established tenants; but still, perhaps, it was well that the knot was cut. On the other hand, the exclusion of small tenants who had accepted leases, fixing the rents for terms of years, was a mistake, and it was a great thing that this was afterwards remedied; while provision was also made for meeting the difficulties of small tenants due to excessive change of values during a long period of fifteen years. I still think there is need of a more organised department for fixing rents and adjusting other difficulties, such as the Settlement departments which we have in most Indian provinces, and by which rents and liabilities are settled in each district on systematic principles. There always must be inequalities, leading to trouble, when the rent of each tenant is separately assessed by a tribunal erected temporarily, and dealing with each case by itself. Both in India and Ireland the troubles of revision of settlement have led many to favour either a permanent

settlement or an automatic revision in accordance with the value of produce. But I am wholly against the creation of new landlords in the English sense, by handing over to them the unearned rent. Even if the new owners be small people, that will lead to some letting and rack-renting in the end, and to a feeling of unfairness among the population excluded from the privilege; therefore I am opposed to the recent Irish Land Bill, absurdly called a purchase bill, when the tenants pay not a farthing for the purchase. At any rate it is only a State purchase and a gift to the existing tenants.

In the summer of 1869 I was in Northern France, and thence went on to Homburg, where I interested myself in trying to master the system of the German communes, their management of their forests and their hares, and the difficult question which I have never been able to solve, why in that part of the world the draught cattle in the carts are almost always cows? Later I was in Scotland, and I had again another expectation of getting into Parliament. It was formally announced in the *Times* that a Peerage had been conferred on Mr. E. Ellice, member for St. Andrews Burghs, with which I had a long hereditary connection, and where many friends were ready to promote my interests. For some days I thought I might have come in unopposed, but at the end of that time Mr. Ellice very unexpectedly declined the Peerage. The following winter I was again in town with my family, and during the ensuing session of Parliament I was naturally much interested in the debates on the Irish Land Bill. In June I had the honour of being made a D.C.L., at Oxford; Lord Salisbury having been good enough to nominate me for that honour on the occasion of the first commemoration after his instalment as Chancellor. There was an unusually great function that year, and I was very proud of the honour and of hearing myself described as "Rerum Indicarum administrator clarissimus." I attended the British Association at Liverpool, and the Social Science Meeting at Newcastle, where I had an opportunity of hear-

ing something of Newcastle Radicalism on the quays and such like places. I spent the summer and autumn of that year (1870), at Edenwood, and occupied myself with improvements among my trees, looking up agricultural affairs, and taking a little part in county matters, for I had become a D.L. and J.P. of Fife, and a Commissioner of Supply.

In Scotland justices do little judicial work, and my small experience was to the effect that what they do principally consists of a class of cases which they had better avoid, such as game cases. Then, too, there was the much vexed licensing question. In London, too, I have once or twice sat as a J.P. on Licensing Sessions, and it did seem to me most inappropriate that the contest should generally be between lawyers employed by opposing publicans. I should have thought that the question should have been the public interest, and not whether one or another monopolist should be preferred.

At Edenwood I was a good deal exercised in my mind on the question of rights of way. It was quite contrary to my principles to stop people, but I was told that if I was too easy the amenities and value of the place would be ruined. I was driven to somewhat ignominious compromises, dodging out of the way of trespassers whom I did not want to meet. It came to be pretty well understood that some remnants of notice boards put up by my poor mother were allowed to remain hidden up in the trees, on the understanding that nobody was prevented going that way. Old women freely picked sticks without formal license to do so. There were plenty of trout in the river, but salmon rarely got up. There was a proposal for the proprietors to join together to establish salmon ladders to facilitate the passage of the fish, but I then learnt that by Scotch law, the riverine proprietors can have no right to salmon except by express grants from the Crown. Some petty questions regarding boundaries, etc., a good deal reminded me of similar disputes in India.

In the late autumn, I paid another visit to Edinburgh,

and took the opportunity of making some inquiries regarding the Scotch juridical system. My impression was that the judges of the Court of Session had a pretty easy time of it. In an address which I was invited to give to an Edinburgh Law Society, I took occasion to notice the similarities between the Mahomedan laws prevalent in India, and the Scotch laws, due no doubt to a common source, viz. the Roman-Greek law. Also referring to my experience as associate in England, I noticed some points of advantage in the English Procedure, while condemning much of the English system. I learnt what I think a very great defect of the Scotch law, the absence of any right by mere possession and prescription in the absence of a regular registered title,—so that without a written title everything belongs to the superior proprietor, however long others may have enjoyed inferior rights. At the same time I believe that the Scottish Criminal Law and Procedure are greatly superior to the English. I fear, however, that Scotland is far too much under the dominion of lawyers.

At this time I occupied myself in writing an account of Indian Land Tenures for the Cobden Club volume, an article to which reference has since often been made. I also wrote an article on Indian Revenue and Finance which appeared in the *Quarterly Review* in the early part of 1871. Meantime my tenure of office in the Central Provinces had run out, I was now only a Civil servant on furlough; the prospect of returning to India in a capacity for which I should care seemed very uncertain, and the time was approaching when I must decide to sever my connection with India if I did not return. I should have liked the government of the Punjaub—that to me seemed native country. It did not come, but there came unexpectedly the government of Bengal.

CHAPTER XII

BENGAL

My appointment to the government of Bengal was a surprise. I never had an executive appointment there, and, failing anything that I cared for, was on the point of retiring from the service. This is how my appointment came about. Our Orissa Famine Commission had recommended a good many reforms. Sir John Lawrence, then Viceroy, would have been ready enough to promote them; but he was much opposed in his Council, and by that time a good deal exhausted. One of his firmest though most conscientious opponents in Council was Sir William Grey. On a vacancy in the government of Bengal, Grey had insuperable claims, and he was appointed. With all his excellent qualities he was essentially Conservative, and strongly opposed both to tenant-right and to radical Bengal reforms. He administered well, but little change was effected in his time. So several years passed. Lord Mayo, the next Viceroy, turned out to be a Radical reformer, and a very efficient one, and he had at his elbow Sir John Strachey, also a thorough reformer, with the additional advantage of an intimate knowledge of the country. They set to work and did a very great deal. The first great work was the localisation of the finance. The old system was that there was one treasury for all India, and the local governments, like so many departments, got as much out of it as they could. I remember, when one was a little behind the scenes, hearing how things were managed—how they asked

for more than was really necessary, knowing they would be cut down, and how it sometimes happened that necessary things were refused, while unnecessary things were granted, and they set off one against the other. Lord Mayo's Government hoped that by assigning certain revenues and funds to the local governments, they would be induced to manage more economically and efficiently in their own interests, and that if any additional taxation were necessary for additional benefits, it would be better to try local taxes experimentally than to overburden the imperial finance, which was not then very flourishing. Under this arrangement Bengal got its full share of increased means and increased responsibility. But beyond this there was the question of the large reforms in the Bengal system which had been so long delayed, and on the approach of Sir W. Grey's retirement, Lord Mayo (very much, I think, at Strachey's suggestion) thought of me as the president of the Famine Commission, author of the most important parts of the report, and well known to be a strong reformer. The Home Government coincided in the choice, and the result was that, late in the autumn of 1870, I received a letter from the Duke of Argyll offering me the post in very civil terms.

I did not seriously doubt that I should accept the offer, but now that I look back, it rather surprises me that I should at all have thought of qualifying the acceptance. The fact was that it went rather against the grain to accept the charge of a province where I did not understand the language nor know the masses of the people. My family, too, were of an age to require education and supervision, and I should have to leave them at home. I let it be understood then that I had it in my mind that I probably might not stay more than two or three years. No objection was made, and I accepted office free in that respect. From the first, therefore, I had the idea of rather doing a great deal in a short time by high pressure, than working out a long service in the ordinary way. I looked upon myself as undertaking a kind of special mission to carry certain reforms. At any rate I am heartily glad that I accepted

the office. My period in Bengal was in many respects the most active and interesting of my life. My only regret now is that it was not more prolonged.

Following the first short communications, mainly founded on telegrams, I had presently a very full letter from Lord Mayo. He explained his views frankly and in some detail. He said that, speaking generally, his views and those of his Government were very much those expressed in my Famine report, and that being thus assured of my concurrence in them, he thought I was the best man to carry them out. Put shortly, what was contemplated was a more active system of government in Bengal instead of the old *laissez-faire*, and a more direct contact with the people. Referring to the financial localisation, he said that in Bengal that would involve local rates and taxes such as I had suggested, but which had hitherto been resisted by the local authorities. There had already been a correspondence with the Home Government upon the subject, and the approval of H.M.'s Government had been obtained. It was proposed to test the new system by making the Bengal districts pay for their own roads, and that measure had been in principle sanctioned. Some other rates were thought of, but nothing more had taken shape. So far, then, my work was cut out for me, and it was work which I was not at all loath to undertake.

We decided that my wife should stay to take care of the children. They were established in our house in London, but she was presently to take them abroad for languages and the benefit of some foreign education. I started for India in January 1871. There was some difficulty about the route. I took the route behind the war, but across the German lines of communication, going by Munich to Italy and Brindisi. I got on better than I expected. The passenger trains were running, if a little irregular, and I encountered no very serious difficulty, except that I knew not a word of German, nor did my companion, and the Germans could not, or would not, talk a word of French. We saw quantities of the wounded in

ambulances, and many French prisoners. Altogether the sight was rather sad. Arrived in Italy, we found the country very deep in snow of long standing, but leaving Bologna one afternoon in the snow, next morning there was a transformation scene, to a green and open country in Southern Italy. Thence I voyaged to Calcutta without incident, meeting many old friends on board ship. I had consoled myself for not getting the Punjaub by saying, "Thank God, I shall be free of those ignoble little frontier wars, generally rather badly come out of." But at Aden I heard of the serious troubles on the Bengal frontier, which soon led to the large Lushai expeditions which I shall have to mention; and before long I discovered that, far from being free from little wars, I was to have a great many of them throughout a very extended frontier, involving a variety of complications, and requiring very much attention.

The fact is that the Bengal Government is in every way a great charge—far the greatest local government in India. It then included the Chief Commissionership of Assam, which was carved out of it when I left.

The total population of the Bengal Provinces is upwards of seventy millions. The largest of the ten Commissionerships into which they are divided has nearly as many people as the whole of the Bombay Presidency. All the world has heard of the three provinces forming the old Bengal dominions—Bengal, Behar, and Orissa. About half the whole population are the Bengalees of Bengal proper, whom I made to be from thirty-seven to thirty-eight millions (including the Bengalee districts since transferred to Assam), and who are by the last census nearer forty millions. In Behar there are some twenty-three millions of Hindoostanees, the same race as the inhabitants of the North-Western Provinces. Orissa is a smaller province, but the Ooryah race extends a good deal beyond the three districts, the principal scene of the famine, overflowing into the adjacent countries. Inland on the west there are a number of Tributary Native States and some British districts, in which the aboriginal races are predominant, and number several millions. The

valley of the Berhamputra, which we call Assam, is inhabited by a Hindoo or Hindooised people, speaking a language cognate to Bengalee.

Of Bengal proper about half the inhabitants are Mahomedans. In the other provinces the Hindoos are in a very large majority, the aboriginal tracts excepted. In Eastern Bengal one or two Zemindarees still borne on the regular rent-roll, and paying land revenue, have retained and extended their original powers, and have become a sort of feudatory states—Cooch-Behar and Tipperah—and there are some feudatory republics in the Kossyah hills, etc. For the rest all round the north and east are independent or semi-independent states and tribes, the source of much trouble, so that I am not wrong in saying that I had quite the most complicated frontier in India, the Indus frontier by no means excepted.

Even in the west we had scarcely emerged from the era of little wars. As tributaries of the empire those countries were either to some extent subject to our laws, or, in the last resort, the decisions of our political officers were liable to appeal to Her Majesty's Privy Council. And the enforcement of the decisions of distant legal tribunals among rude races gave rise to some serious rebellions and much trouble. The Sonthals had wildly rebelled against what they thought the injustice of our laws subjecting them to landlords and usurers. In another territory, shortly before I took charge, a Khond population had gone into rebellion against a decision of the Privy Council setting up a chief as their legitimate ruler, whom both the people and the Government wished to set aside. Two or three Madras regiments had failed to restore order, and were decimated by fever. Peace was only restored by a political negotiation and compromise. In another case, in my time, a poor man, chief of a wild hill tribe, had the decision of the Indian Courts in his favour, but his Bengalee opponent appealed to the Privy Council in England. The wild man of the hills had not the means to follow him and fee lawyers there, so he took measures according to his lights, caught an idiot beggar, carried him

to the top of a hill, and there formally sacrificed him to propitiate the gods who rule the Privy Council. · I think that appeal to England is in great part an abuse for the benefit of a small knot of lawyers. But to return to Bengal political complications. Although the western aborigines have frequently broken out in past times, not without some reason, they are an excellent people. The more numerous and civilised tribes are prolific, industrious, good agriculturalists, with self-governing institutions of their own. They make capital colonists and labourers. Mahomedanism has never penetrated among them, and they have shown much disposition to become Christians, but many of them went back when they found that we did not carry our doctrines of equality into practice, and could not or would not protect them against the extortion of landlords and plutocrats.

Our border relations with Nepal seem to be habitually friendly, but our relations with Sikkim and Bhutan are always delicate, and sometimes hostile. East of the principality of Bhutan the whole remaining range of the Himalayas is unexplored and unsubdued, and while some of the people of those hills, refugees and others, have settled in our territories, and become what we call "tame," their presence rather tends to quarrels with their congeners in the hills, and to induce those raids of the hill-men which involve us in frequent little wars. Towards the extremity of the Assam valley, the stronger and more civilised tribes of Khamtis and Singphos hold the routes to China and upper Burmah. A long stretch of the hill country south of Assam is held by the various tribes, whom we class under the general name of "Nagas," with whom we have had many wars, but whom we are now gradually bringing under control. In my time the Naga country towards Manipore was hardly explored, now the best road through Manipore to Burmah has been opened there.

East of the Nagas the Kossyahs and Jynteahs have long been brought under our political control. They are a most interesting and pleasant people, living in small demo-

cratic states under our protection, and the excellent hill station of Shillong is in their country. Their troubles are those common to democracies—bribery and corruption at elections, and a tendency on the part of discontented minorities to disruption and separation. They afford the best study I know of a civilised and regulated "Matriarchy," *i.e.* descent in the female line. East of the Kossyahs, the Garos were quite wild, and their country unexplored, and they often raided on our territories, till, towards the end of my tenure of office, I succeeded in annexing that country.

Farther south between Cachar and Chittagong and Burmah are the very wild and troublesome Lushai, Kukee and other tribes who gave occasion to the large military operations which I shall shortly mention, and who have again become notorious in connection with our recent attempts to open a route between upper Burmah and India by way of the Chittagong district.

Speaking generally it may be said that the tribes north of Bengal and Assam are Mongoloid, while the ethnological affinities of many of the tribes south of Assam and towards the Burmese border are still very undetermined.

To complete this account of the country I was called on to govern, I may add that the charge of the capital and port of Calcutta, with its large European and advanced native community, added considerably to my labours. The navigation of the Hooghly, and the regulations of the river and port, required a good deal of attention. Managing a somewhat troublesome Government pilot service, laying down regulations for speed through the water and over the ground and so on, inquiring into not very unfrequent collisions and accidents, and equipping the port with all modern appliances, which was largely done in my time through a Port Trust. Then in addition to the management of the customs of a maritime province, the Bengal Government had charge of the whole of the Government cultivation, manufacture, and sale of opium, whether in Bengal or in the North-Western Provinces. At first I had charge of the railways starting from Calcutta, and running far beyond our Bengal borders;

but afterwards the Government of India took over the main trunk lines, and put them under a separate department.

I was, *ex officio*, a member of the Governor-General's Legislative Council, and, owing to my previous experience, took a somewhat active part in its proceedings; of course, however, the main functions of the Government of Bengal are those connected with the great and populous British provinces composing that administration. Though the head of the government is called Lieutenant-Governor, he really has very much greater individual power than the Governors of Madras and Bombay, limited and controlled as these latter are by a council. The Lieutenant-Governor in his own sphere is a personal ruler with no executive council, but only secretaries and heads of departments under his orders. There is now in India a sort of federal arrangement by which the powers of local governments are defined, giving them liberty of action within certain limits, while beyond those limits some things are reserved for the Government of India. The same rules apply whether the local government consists of a Governor in Council, or of a Lieutenant-Governor only. It is sometimes suggested that Madras and Bombay being more distant, are less liable to be interfered with by the Government of India; but facilities of communication have now much diminished that advantage. On the other hand, the nearer governments have often the advantage that, if they are on good terms with members of the Supreme Government, they can more easily get at them and obtain what they want by personal intercourse. The Madras and Bombay people cling to the tradition of separate presidencies (though that is now a mere survival), and one way and another it happens that their relations with the Government of India are often very strained, while the other governments are generally on good terms with "India" as it is called.

I have no doubt that the system under which the Lieutenant-Governors rule is the best—the other is much more cumbrous, and expensive, and in the present state of affairs I do not think there is any justification for maintaining it, if the patronage could be sacrificed. Even if there be not

abuse in the appointment of impecunious young lords,—and they are often good and intelligent men,—still they have only just learnt their work when they come away. Especially as regards Madras and Bombay, the character and size of those charges and the absence of political complications make them least of all suitable for such expensive and heavy governments. Much may be said for a council, but Bengal would require one most. And the work of a local government consists so much in a multitude of details, that a council of the chief executive officers would be best, rather than councillors with nothing else to do. There is one difference between the several local governments, that some have legislative councils and some have not—at that time there were such councils in Bengal, Madras, and Bombay, but not in the other Lieutenant-Governorships. Such a local legislature is really a very great advantage under the strict reign of law now established; it enables local governments to legislate for themselves in many things, instead of having to apply to the Government of India for the necessary legislation. One great source of the power and position of the Lieutenant-Governor is, that within the limits of the established services, he has in his own hands the complete patronage without any interference, either of the Government of India or of the Home Government; so far it may be said that all about him depend absolutely on his will. I have always thought that free selection within limited services is a most successful arrangement. On the other hand, the patronage of what are called "uncovenanted" appointments, so far as Europeans are eligible for them, is very dangerous. Tremendous pressure is brought to bear upon men in authority to induce them to provide for admirable young men who have failed to make a living in any other way. That is now forbidden, or strictly limited; the only large field for such patronage is the police, but that is the most dangerous of all.

My appointment might be rather bitter to the civilians of the Bengal Province, over whose heads I came, but I was pleased by the cordiality of my reception, and if I was

not at home in Bengal affairs, I was, by previous residence, quite at home among Calcutta people. Among the Bengal officers, too, I had many old friends. I quickly came to like the work and the surroundings. My administration has now passed into ancient history—it is recorded in annual reports and in a perfect library of official publications of various kinds. I will not attempt to go over it all again, but will only mention some salient points and a little personal history.

The comfort and effectiveness of the head of a local government much depends on his relations with the Viceroy, and I had the very fullest support from Lord Mayo: as long as he lived nothing could be more pleasant than my position. Lord Mayo was always known as a most amiable and genial man; but I think that in England his ability was hardly appreciated,—he was not a good speaker,—and his appointment to India was denounced as a job. Those who had business relations with him came to understand that he really was a man of strong character and excellent ability. I afterwards found that this was known, not only to us in India, but also to those who had most to do with him in England. Perhaps there is some exaggeration in what has been said of the excessive effect of his genial manners upon the native princes; but what really made him a power in India was his hearty sympathy for the people. He was a notable instance of that which I have often observed, that a man's position in English parties is often the mere accident of birth and circumstances. Though Lord Mayo was nominally a Conservative, I never met a man who was by nature a more genuine Radical—a quality evinced by his sympathy for the masses, and his boldness in active government and reforms. He was also an instance of the practical truth of the remarks, that Irishmen have a certain advantage in India, on account of the analogies between some Irish and Eastern institutions. It was a further advantage to me that I was on very friendly terms with Sir John Strachey, and I think I may say with the members of the Government of India generally.

In Bengal the head of the Secretariat was the Honourable Ashley Eden, a most able man, who had long been a sort of Prime Minister there. He and I had much sympathy in some things, but in respect of others he was a strong Bengalee, and not willing to admit the superiority of methods imported from other provinces. He loyally assisted me on my assumption of office; but it was perhaps as well that he was soon after promoted to a Chief Commissionership elsewhere. From other distinguished men who were or afterwards came into office at the headquarters of the Bengal Government, I had the most loyal and excellent assistance. Several of them afterwards came to occupy the post I then held, and forwarded and improved upon the reforms which I initiated. But just at first, when I was introducing so much that was new to Bengal, and encountering a good deal of opposition in some quarters, I felt the need of some one who understood the details of the systems prevailing in other provinces, and I applied for the services of Charles Bernard, a North-Western civilian, who had had experience in the Punjaub, and whose qualities I had appreciated when he was my secretary in the Central Provinces. I obtained his aid as one of my secretaries, and his services were invaluable to me. His appointment was in some respects more galling to Bengal men than my own, but he had such qualities, such unselfishness, and such tact and temper, that he soon came to be liked by all, and no jealousy remained. At times I had some discordance of opinion with one or two members of the Board of Revenue and other high officers, but, on the whole, things soon began to go smoothly. My own brother, Charles Campbell, a very experienced Bengal officer, was for a time acting member of the Board, and, living with me, assisted me both in official and domestic matters, but he was overborne by the loss of his wife and the care of a motherless family, and soon went home not to return.

For my personal staff it so happened that I had not sons or nephews available. I had no temptation to nepotism. I supplied a good deal of my own want of

local and personal knowledge by taking as my private secretary one of the best of the younger Bengal civilians, H. Beadon, and for a longer period H. Luttman-Johnson, who long and well served me in that capacity. In the absence of my wife I was very greatly indebted for the management of my household to my aide-de-camp, Captain Farmer, of the 60th Rifles, an officer whose tact and skill were appreciated and utilised by several successive Governors and Viceroys. Some of my old native servants returned to me and served me well in the greater position to which I had attained.

Belvedere, the residence of the Lieutenant-Governor, is a charming house in charming grounds, and I had there the opportunity of receiving many old friends and a good many members of the Government of India, with whom I was thus able to confabulate on affairs of State besides enjoying the pleasure of their society. I had no official residence in the hills, and had no great desire to have one. I only very occasionally visited Darjeeling and spent a little time in the medium climate of Hazareebagh, on the western plateau country, which I preferred. In the summer I was satisfied either to remain in Calcutta or to tour about in a fine yacht, the water residence of the Lieutenant-Governor.

I had hard work to get up the regular business of the province, much of which was so new to me. But I also lost no time in grappling with the special question of local taxation, which was to take the shape of a District Road Act. Though the principle was, as I have already said, approved by the highest authorities, it was not yet accepted in Bengal; it was my task to give effect to it there, and I had an entirely free hand to carry out the proposed measure in my own way. The necessary legislation was to be effected in my Provincial Legislative Council.

The task seemed somewhat difficult, but it was accomplished. If many orthodox Bengalees stoutly opposed me, others loyally accepted the measure and assisted to improve it. Knowing so little of Bengal as I did, I could

not have successfully arranged the details without the active aid of Mr. Schalch, one of the senior Bengal civilians, a friend and contemporary of my own; and several others much aided me.

Though the Legislative Council is nominated and so far not wholly independent, most of the then members had been nominated by my predecessor, and to carry the bill through the council was a work of some delicacy. I was grateful to the members for the handsome way in which they behaved in the matter. And here I would say a word regarding these Provincial Councils. My recollections of mine are altogether pleasant. As having sat both in the Governor-General's and in the Provincial Legislative Council, my strong feeling was that the native and non-official members are much more useful in the latter than in the former. The native members really understood the questions that came before them, and gave most material assistance; in many respects they truly represented native opinion. The difficulty was, and I fear long will be, this—it is easy enough to get representatives of the Zemindars and higher classes, but most difficult to get representatives of the lower masses—the ryots. I would most gladly have found real representatives of the latter; but there was no machinery for election by them; even for nomination I never could find suitable men. No real ryot understood the language and methods of the council, and I hardly cared to entrust a brief for them to a briefless lawyer. It is a very great danger that, on our councils and other bodies, the upper classes may be represented while the lower classes are not—in all class questions that gives a great unfair advantage to the former. British officials must always very carefully guard the interests of the lower classes.

When the Provincial Legislative Councils were first set up they had very large powers, could legislate on all subjects not regulated by a few Imperial Codes, and could alter all laws passed by any authority before the Indian Councils Act. But they were not to have power to touch any general

laws which Parliament or the Supreme Legislative Council in India might pass in the future. Since that time the legislative department of the Governor-General's Council have exhibited a great, sometimes I think almost too great, activity; have not only digested the law on many subjects into codes, but have also passed many consolidating Acts. During part of the time, in fact, I think that department was certainly mischievously active, as when they passed a general Cattle Trespass Act for all India, and laid down the fine to be paid by an old woman whose cow strayed in all the country from Cape Comorin to the Himalayas. The consequence is that so much ground is covered by this subsequent legislation as to leave comparatively little that the Provincial Councils can touch, and they now seem to do very little. The object of establishing the power of local regulation is almost defeated. I very much regret that in this session (1891) the India Councils Bill has not been proceeded with, if it were only for the clause restoring power to the Provincial Councils.

However, at that time the Bengal Council could deal with the Road Cess Bill, and I go back to that. In Bengal, roads were a real necessity. In other provinces a local road cess had long been added to the land revenue, and had done much good; but, the permanent settlement being supposed to stand in the way, in Bengal there was nothing of the kind. The Government of India thought that, as Bengal already paid far less land revenue than other provinces, it could not also expect to receive funds from the imperial treasury for local purposes, which in other provinces were raised locally. So no money was available, and there was great want both of roads and of small local canals which may be in some places more suitable.

The Zemindars and some old Bengal officers still stoutly maintained that any tax touching the land would be a breach of faith pledged at the permanent settlement. The opposite view was that there was no such pledge, that the imperial land revenue was fixed, but there was no pledge to exempt the land from local taxation for the

benefit of the people themselves. On the contrary, the very terms of the settlement bound the Zemindars to many obligations which they had shaken off. On examination it turned out that one of the most prominent of those obligations was the maintenance of roads. No doubt "Macadam" was then unknown, and it might be argued that the obligation was only to remove obstacles and protect the roads from robbers. But there was no doubt that "Phoolbundee" meant bridges and embankments, which the Zemindars were bound to make and maintain. I have no doubt that we were right in making the land liable for the modern road cess.

Another obligation of the permanent settlement we had occasion to revive, if it were only to secure the due valuation of the land for rates. The Zemindars were bound annually to file full accounts of their rents and collections, and to maintain public accountants for the purpose. This obligation had fallen into desuetude, but we insisted that it should now be fulfilled.

Next came the question whether land only was to be taxed for roads or all property, and I accepted the view of the Secretary of State that the cess should be on all immoveable property. But towns were eventually exempted on condition that they should maintain their own roads and streets. As respects the cess on land, seeing the privileges accorded to the ryots, I decided to follow the Scotch plan of putting the burden half on owner and half on occupier, but the owner was to collect and pay in the whole. He was bound to file his rent-roll, and he could not recover rent which did not appear there.

The cess was to be a district cess, voted and expended in each district through district committees, and subordinate local bodies for smaller divisions.

The bill after passing the first stages in council was referred to a committee, who dealt with the details and materially improved it. We worked very hard on it through the hottest months of the year. It was finally

passed in the middle of July 1871, received the necessary assents, and went into operation.

In the course of these proceedings I made a full exposition of our provincial finance. In after years it was asserted that I then promised that, if the Road Bill were accepted, there should never be any more local taxation on the land. That certainly was not so; all I did say was, that the particular form and incidence of this tax would not be taken as a precedent in regard to any future cesses for education or other objects; but that, if there were any such, each would be dealt with separately according to the justice of the case. In truth, in accordance with the conditions on which the financial decentralisation was effected, I hinted at the probability that other imposts might at some time be required for provincial and local purposes. There was talk of a provincial income tax, and I rather inclined to make some experiment in the taxation of tobacco, not so much in addition to as in substitution for the salt tax. While I only threatened, some of the other local governments (Bombay and one or two others) brought out proposals for taxing trades, marriage-processions, and some other things. I should be sorry to suppose that we hold India by so precarious a tenure that we dare not impose reasonable taxation for necessary purposes; the general taxation is really very light. Still, I did not then attempt to go beyond the road cess. The Duke of Argyll (Secretary of State) became alarmed, and warned us not to go too far, and the novel taxation proposals of the other governments were dropped. It turned out that the plan of financial decentralisation was so successful, and led to so much judicious economy, that the necessary improvements were effected without any further new taxation; some of the local governments, Bengal among them, saved money and became quite rich. Things went on very smoothly till Lord Lytton's Afghan war upset the finances. I have only the feeling that, though we managed to give large sums for education, enough has not yet been done for the education of the masses of the people of India, and that

possibly it might have been well if we had presently imposed an elementary education cess as well as a road cess, as had been suggested at that time.

When the Road Cess Act had been passed, and was being put in force, first in some selected districts and gradually in all, many of the most distinguished of the old Bengal administrators still confidently predicted its failure and prophesied evil results. It was to produce universal discontent and alarm—if not resisted the tax would be evaded wholesale—the mere enormous mass of the returns required for tens of millions of holdings would make the thing impossible. I did not know Bengal well enough to be wholly confident, and had my anxieties; certainly, I hardly expected so complete a success as was in fact soon attained. The Bengal Zemindars were, as it were, taken by surprise by the new system imposed with all the authority not only of their own government, but with the weight of the Government of India and the Home Government behind. They obeyed the requirements of the law, and doing so they found themselves in a kind of dilemma. If they failed to disclose their full rent-roll, they were at the mercy of ryots, and could not recover their rents; if they put down more than the truth, they must themselves pay an exaggerated tax, which they would probably fail to recover. In this difficulty they generally took the somewhat singular course of telling the truth. Great as was the mass of returns they were furnished without serious difficulty. In India, and in Bengal in particular, clerkly power is never wanting—the people have a genius for forms and returns. In spite of the very positive prohibitions of the law, the Zemindars had always been in the habit of exacting old-fashioned illegal cesses—the new road cess was but one additional impost—and it was soon found that, a legal cess being at last authorised, the ryots quickly began to distinguish between the cess supported by the authority of Government and those cesses which had no such authority; what they paid for the one they sought to save in respect of the other. Still more important was the record of their holdings. The privileges accorded to the ryots by law had

often been defeated by the difficulty of proving their tenures, in the absence of any record and in the face of the highest legal chicanery employed by the Zemindars. Now the returns for the road cess furnished a legal record, to which the Zemindars were bound before they had time to devise new methods. No sooner were the returns filed than ryots came in to take copies of the entries affecting them, which they held as charters for future use. So much was this the case that it was soon remarked that, in many districts, an unprecedented thing happened—a new tax was positively popular, instead of causing the alarm that had been prophesied. I believe, too, that all classes did realise that the money raised locally and spent locally by themselves for themselves was a benefit to the country—altogether the system worked well and did much good. The administration of the fund was also the beginning of a system of local government, which has been extended and I hope will extend. The reports of my successors have all been very favourable in regard to the working of the system embodied in the Road Cess Act.

The success of the local cess induced the Government of India, a few years later, to urge upon the Government of Bengal the imposition of a further provincial cess levied on the same lines, and by which the treasury was relieved of provincial, as distinguished from local, roads and works; and that was carried out—the original cess thus being in practice about doubled. I think there can be in principle no objection to this impost for the benefit of the province; it seemed to me that the Government of India sailed a little near the wind in respect to my pledges, in that the fund was, to a large extent, applied to recoup their own bad bargains, to which the Government of Bengal had in no degree assented. I had protested against the purchase of that most losing concern, the Orissa Irrigation Company. And when the Government of India wished to undertake the more likely Soane irrigation scheme in Behar, I told them plainly that the statistics of their engineers, assuring them of a splendid profit, were not worth the paper they

were written on, for the simple reason that the materials for such statistics did not exist. The one set of works has never paid its working expenses, and the other, I think, no interest on the capital; but they were turned over as provincial works, the losses on which were to be borne by the new fund.

However, in spite of that drawback the system of road and provincial taxation inaugurated in 1871 seems to have been successful and beneficial, and to be now generally accepted without serious complaint.

While carrying through the Road Cess Act I was also maturing plans for administrative reforms. But I wished first to see something of my dominions and of the Bengal officers, so when the Act had been safely passed, and the first instructions issued, I went off upon an official tour in the Bengal fashion. There the yacht takes the place of the camp of other parts of India, and, by the waterways, the Lieutenant-Governor is able to visit most of his districts. The so-called yacht is much more than that name usually implies. It is a huge flat, with a large amount of accommodation, towed by a separate steamer, and free from the disagreeables of an engine. In its roomy cabins the head of the Government is able to take about with him both his own staff and the commissioners of divisions and local officers of the various parts of the country through which he is passing, and he thus has much easy intercourse with them, and an opportunity of talking over many things, while at the considerable places he halts, receives and is received.

In this way I first visited most of the districts of Eastern Bengal. I decidedly liked what I saw of the Mahomedan peasantry of that country—I shall afterwards have more to say of land and other questions which were brewing there and which presently came to a head. From Eastern Bengal I went up the great flood-stream of the Berhamputra into Assam, entering the valley by the sort of gate about Gowhatty, where the hills on the bank and temple-crowned islands in the river, with the Himalayas and higher hills in the distance, make the scene a very pretty one. Passing

up through the various Assam districts, at the different stations I found not only the usual assemblies of European officials and prominent natives, but also specimens of the many strange races of the hills surrounding Assam, brought to gratify my known ethnological tastes. In upper Assam I saw a good deal of tea, tea-planters, and tea-coolies. Though Assam had long been attached to Bengal, the Bengal system had never been introduced there—the Assam land was managed on purely ryotwaree principles, and I thought very successfully managed. Even in some of the adjacent Bengal districts (Sylhet and Chittagong) under the permanent settlement a large proportion of the holdings are so small that they may almost be described as ryotwar, the land being held by small peasant-proprietors.

On my return down stream I stopped and went up to Shillong, the station in the Kossyah hills which I have, I think, already mentioned. The place has two great advantages over most hill-stations; first, it is not too precipitous, there are roads and you can drive about there; and second, the rainy season (that curse of the hills) is comparatively light and pleasant. The rainfall is moderate, fogs and clouds not intrusive; people play cricket and amuse themselves right through the monsoon season. The reason is that the higher ground to the South intercepts the monsoon, and Shillong bears the same relation to Cherra Poonjee (only thirty or forty miles off) that Poonah does to Mahabaleshwar. Cherra Poonjee is about the rainiest place in the world, averaging, I think, about 600 inches per annum. Shillong has more rain and is much greener than Poonah. I saw very large wild apple trees, and my impression was that great things might be done in the cultivation of European fruits there. I have mentioned that most of the hill country east of Shillong was scarcely explored in my day, but now that we have further advanced, and all the country between Assam and Burmah must soon be opened out, I should think it very likely that tracts may be found with advantages equal or superior to those of Shillong, and very favourable for European settlements. From

Shillong I passed by Cherra to Sylhet. I had authentic record of the measurement of 121 inches of rain at Cherra in five days. The curious thing is that though the rainfall is enormous, it falls in good honest downpours, and the place is not uninhabitable nor even excessively disliked. The rainfall runs off at once over a sort of ledge to the south. There is a drop where may be seen the highest waterfall in the world, thousands of feet, I think; I must confess it was only a tiny stream when I saw it, but when rain is falling above at the rate of two or three inches per hour I daresay it is grand.

At Sylhet I had to occupy myself about the approaching Lushai expedition, and then (the yacht having come round) I re-embarked on the Soorma river, and thence along the main stream of the Ganges, through Bengal, and up to Behar. At Bhagulpore I found my old friend, John Dalrymple, who was Commissioner there, and I had a happy meeting with him. After visiting some of the Behar districts we returned to headquarters.

But before that tour was ended we were shocked by the news of the murder of Judge Norman, the Acting Chief-Justice—a man for whom I had the highest regard, and whose high position made the event a very startling one from a public point of view. Happily, on inquiry, it turned out that the crime had no political significance. Poor Norman fell a victim to the knife of a half-crazed Afghan, long resident in India. His grievance was of the slightest, but he had long been in an excited state before he came to Calcutta, and, imagining he had not had justice, he plunged his knife into the Judge on the steps of the Court —that Judge the most amiable and inoffensive of mankind. The closest inquiry failed to show the least trace of any darker motive. But we had not yet come to an end of the Wahabee persecutions, and there was great proneness to attribute everything unpleasant to dark religious conspiracies. Some of the Viceroy's staff were persuaded to entertain suspicions of the kind, and there was some correspondence about it in view to precautions. When, but a

few months later, the Viceroy himself fell a victim to the knife of another Afghan, it might seem that there was ground for these apprehensions. Yet no two men could have been more different than the two murderers, nor could the circumstances have been more different.

On my return to Calcutta, the first subject demanding attention was the equipment and despatch of the Lushai expedition. Arising out of events before my incumbency, the punishment of the Lushais had been placed in the hands of the Commander-in-Chief and the military authorities. I was in no degree responsible for the policy of the expedition. But, of course, as it had to operate in my territory for the protection of my border, I had to settle many details, and to appoint the political officers to deal with the tribes when the military had done their work. It was an occasion which brought to the front a man to whom I afterwards owed much—Mr. Edgar, now Sir John Edgar. Two fully-equipped military columns, under general officers, operated from the two sides of Cachar and Chittagong respectively, and though they did not succeed in effecting a junction, they did, by excellent organisation, penetrate a long way into the hills. The whole thing was, I am sure, most efficiently conducted—the tribes were punished and frightened, and we were able to claim that they had submitted; we made terms and conditions which they observed for some years till their next outbreak. The expedition was thus a success, and I have no doubt that the military honours earned were thoroughly well deserved. Yet, I confess, I had always secret doubts whether the game was worth the candle, whether so large and regular a force was the best instrument to deal with very savage tribes in a very impenetrable country. In our chronic little wars I very much felt the want of a small irregular force of our own, and on some other occasions I managed with scratch military police as well as I could. That season, with Lushai on our hands, we managed to postpone as far as possible expeditions against Garos, Nagas, Dufflas, etc. A troublesome boundary dispute and some other questions with

Bhutan we also managed to settle. In my time we were on very good terms with Sikkim, but the double allegiance of that State to ourselves and to the Thibetans was always a delicate matter. There was a pretty brisk, one-sided trade with the Thibetans—that is, they came over freely to trade with us in our territory; but all attempts to open a more intimate connection with them, or to obtain admission into their territory, were unavailing. I tried to open communication with Thibet by another route farther east, called the Towang Pass, where some independent Bhutea tribes were friendly, but we made nothing of it—our letters were returned unopened—so I took the part of prudence and let the matter rest.

On the other side of Bengal the Kols and other tribes which had formerly broken out at times were kept quiet and prosperous under Colonel Dalton's sympathetic non-regulation rule, and the Khonds, etc., of Keonjhur (the scene of the last serious outbreak) were now perfectly quiet and rapidly becoming civilised. They were soon after reported to exhibit a wonderful instance of successful self-government and self-taxation. These people, so lately notorious for human sacrifices and other barbarities, now voluntarily taxed the grog shops, and devoted the proceeds to primary education, and also levied a house-tax for roads, to bring them into communication with the rest of the world. But before I had been long in office we were threatened by a very serious excitement among the Sonthals, that peculiar people whose previous rebellion had been so serious; and I had occasion for much anxiety on the subject before the matter was settled. I wished to adopt somewhat radical measures, seriously affecting rights of property as strictly interpreted by the lawyers. As the Sonthal country was deemed to be part of Bengal, not of the territories beyond, I could not hope successfully to carry out such measures as I desired without the full support of the Government of India; and it was in communication with Lord Mayo on this subject that I discovered what a Radical he really was. I have letters of his taking the popular side, in language of

a strength on which I should hardly have ventured. He thoroughly supported me in the matter, as did his successor, Lord Napier and Ettrick, under whose temporary Viceroyalty I was able to obtain, by legislation, all the powers I required. The Sonthal trouble was thus satisfactorily settled, and has not since broken out again.

In the civilised and populous districts of Behar there were threatenings of agrarian troubles in connection with the system of indigo cultivation, but we managed to stave them off for the present.

Another subject of a different kind gave me much anxiety at this time—the great spread of what was called the Burdwan fever—a malarious fever—one of those crosses between epidemics and endemics, a slowly-progressing wave of disease which creeps over the country and remains for some years, such as in former days I had experience of at Khytul and Loodiana. In some of the most populous districts of Western Bengal its ravages were terrible, and we began to be apprehensive that it would invade Calcutta. We were at our wits' end to discover the cause and to find a remedy; but, in truth, we do not understand these things. There was some disposition to attribute it to the interference with the drainage of the country caused by the railways, and we did all we could to remedy any possible obstruction of that kind. Both for health and for the general improvement of the country, we undertook some extensive drainage schemes in Western Bengal, and the Bengal Legislative Council was much occupied with Drainage and Embankment Acts. It was a very difficult task to adjust the rights and liabilities in regard to land reclaimed, benefited and injured, in various degrees. We made a successful trial of a system, under which such schemes were undertaken by the consent and the votes of the parties interested, who were rated in proportion to the benefits received. The vast embankment system of Lower Bengal also much engaged us and gave rise to many difficulties. The proverb, "What is one man's meat is another man's poison," may be still more forcibly applied to water. If

we brought the embankments too near the rivers the levels were raised, and the embankments were apt to burst. If we removed them farther back the lands left exposed were ruined. While we protected many from too much water, others wanted water, and made secret cuts in the embankments, which endangered their stability.

A great work undertaken in the latter part of 1871 was the census of Bengal. There never had been a census of those provinces, and the rough computations made in various ways proved to be ludicrously wide of the mark—always far below the reality. In all ages, among a suspicious people, an unaccustomed numbering is very apt to lead to panic and wild fear of taxation and even of more dreadful things. It was not without apprehension that we entered upon the task among such great populations hitherto so little "handled"—so to speak—as they had been handled in other provinces. I had little personal knowledge of operations of the kind, and I heartily appreciated the labours of the zealous and excellent officers who brought them to a successful conclusion. As I have already mentioned, executive machinery was greatly wanting in Bengal, and it had to be created for this purpose. My predecessor had urged many objections to the undertaking, and the Government of India accepted some conditions and modifications which, after fully considering the subject, I submitted, though I still had considerable doubts if success would be attained. Our plan was to avail ourselves of voluntary agency to the utmost; and in the course of the undertaking the Bengalees exhibited an unexpected amount of public spirit. The best men in the villages not only accepted the post of unpaid enumerators, but there came in many districts to be even a kind of competition for the post, as a kind of honour, and an office recognised by Government. The impression left on my mind was, a strong increase of belief in their capacity for self-governing institutions. Under the direction of Mr. Beverley, the head of the department of registration and statistics, the whole thing was carried out all over the country without any panic or dis-

turbance, and the returns came in with a facility which we thought almost suspicious. When everywhere they disclosed numbers far beyond any expectations, there were not wanting those who doubted whether there might not have been some fudging and exaggeration. Yet test recountings of specimen areas, as well as subsequent operations, have all shown the substantial correctness of the census, and that it did not at all err on the side of exaggeration. I then learned, to my surprise, that I ruled over some sixty-seven million people. The more close enumeration of subsequent censuses, together with the natural increase, have so far raised this number that, after throwing off the Chief Commissionership of Assam, the Bengal provinces still return about seventy million. The great density of population in some districts no doubt leads to serious apprehensions for the future, though there is no evidence that the limit of population has yet been reached in India. While in great part of Behar, with a rural population of some 800 per square mile, there are signs of excess of population, wages are low, and there is some emigration. On the other hand, we found that in Eastern Bengal there were large districts with a population of 600 to 700 per square mile, in which wages were high, and there was much demand for immigrant labour.

I have mentioned the special subjects which cropped up at this period, but meantime I was steadily progressing with those administrative reforms, to effect which was (after the local taxation question) my chief function. In making the changes I did, I touched many interests and encountered much abuse in the Press. I was loudly accused of Napoleonism and other crimes. But I am not at all thin-skinned, and I persevered, trusting that in the end I should be justified. I had that, without which success would have been impossible, the steady and unflinching support of Lord Mayo, of Sir John Strachey, and of the Government of India as a whole. Most of the cold season of 1871-72 was spent in Calcutta, when, in addition to hard official work, there is at that time much society and many social functions. I had the pleasure of receiving many old friends and distin-

guished men at Belvedere. The Commander-in-Chief, Lord Napier of Magdala, Barrow Ellis, Bombay Member of Council and others. I had to meet the King of Siam on his arrival, and had entertainments for him, and for occasional celebrities to meet the officials and residents.

But later in that season came an event which overclouded everything. Lord Mayo had gone to visit the Andaman Islands (which were not in my jurisdiction); on his return he was to land in Orissa, and I was on my way to meet him in the small sea-yacht the "Celerity." We were waiting for something, near the mouth of the Hooghly, when a large steamer signalled us, a boat came on board bearing a member of the Governor-General's Council, and we learned to our horror that Lord Mayo had been assassinated. I could only return to announce the sad news, and take measures to ensure that public confidence should not be disturbed. Although the murder had taken place at a distance, the funeral and all the melancholy arrangements connected with it had to be arranged at Calcutta, and the murderer was tried there. A curious thing occurred in connection with the funeral. We had some doubts of the stability of a suspension bridge at Kidderpore, over which the cortége was to pass, and had it tested beforehand by heavy artillery waggons. The very heavy waggon bearing the bier, and all the cortége, passed safely over. Yet one night very shortly after that bridge fell in the most unprovoked manner. An additional element of sadness in the last rites in India was, that when we arrived at Her Majesty's vessel of war which was to take the body home, we found that the commander was down, seized with virulent cholera. We did the best we could to see Lady Mayo and those accompanying her off with most respectful sympathy. A few days after the murder, Lord Napier and Ettrick, as senior Governor, and by law Viceroy till Her Majesty should make an appointment, arrived from Madras and took charge.

The searching inquiry into the circumstances of Lord Mayo's murder disclosed a story without any element of

mystery. All Afghans are bred to the use of knives, and use them freely in tribal quarrels. But the assassin Sher Ali had been a completely civilised Afghan. He came over the border and took service in our civil establishments. He became a favourite personal attendant of the Commissioner of Peshawar, and was a favourite with his children. But there came over the border another Afghan of a family with whom Sher Ali or his family had a feud. That new-comer was one day found murdered behind a garden wall. The evidence adduced by the police pointed to Sher Ali as the murderer, and he was tried for his life. It was clear that if he was the murderer, it was a most base and treacherous murder, which would have been condemned even by the Afghan code of morals, for he had seemingly forgiven old scores, and entered into friendly relations with the man. The evidence was wholly circumstantial—footprints corresponding with Sher Ali's boots and so forth—a late curious case in Northumberland, where the authorities were very much at issue, curiously reminded me of Sher Ali's case. In the end he was convicted of the murder, but there was so much shadow of a shade of doubt in the case that instead of being hanged he was transported for life. He persisted in asseverating his innocence; but justice must be executed, and he was sent as a convict without hope to the Andaman. One cannot conceive anything more galling than the life there to a free Afghan from the hills. Bad enough if he was guilty, ten times worse if by any chance he was innocent. However, he seemed to accommodate himself to the situation, and being habituated to intercourse with Europeans, he so far gained favour that, instead of being put to harder and more restricted work, he was appointed to shave the prisoners, and so had some freedom and access to sharp instruments. So it was, when Lord Mayo landed to see the convict settlement, an opportunity of a great revenge was presented—Sher Ali followed the Viceregal party returning in the dusk, and drove in his fatal knife from behind. All his papers and everything connected with him were carefully examined, but there was not the

least trace of any deeper political motive. His communications with his relatives related only to his fields and his wife and local gossip of the last new murders in the hills from which he came. Whatever his motives, his knife removed a most excellent Viceroy, a true friend of the people, and an able, conscientious, hard-working man. That act very materially changed the course of our policy in India. And to me in particular, Lord Mayo's death was a turning-point in the administration which I was carrying out in Bengal. Afterwards I worked under very different circumstances. For a time, however, while Lord Napier ruled, he was entirely sympathetic. He and Lady Napier were socially charming, and in public matters Lord Napier was all I could desire, and supported me as thoroughly as Lord Mayo.

There was in those days in Calcutta a feeling of personal shock. It was remarked as a curious feature in my position that within a very short time both the one man above me in rank, the Viceroy, and the next below me, the Chief Justice, had been struck down by assassins; and some people seemed to think that I might well take some precautions. I thought it better, however, not to let any appearance of disturbance be observed, and took my morning walks as usual without protection. I was convinced that the two assassinations were only an unhappy coincidence. Once only, a little later, I was a good deal startled. I was awoke by a wild man cutting capers and shrieking in my very bedroom, and hastily calling to mind the lessons of my first master, Williams of Badaon, I caught up a pillow, and as soon as possible substituted a chair used as a shield, legs to the enemy. Assistance soon arrived, and then it turned out that it was only a madman who had walked quietly past the sentries, as if he were a servant of the house, and had somehow found his way to my bedroom. So I said nothing about the affair.

Lord Northbrook having been appointed Viceroy, arrived in due course in Calcutta in spite of the hot weather. I received him with all honour, and our intercourse was quite

friendly. But I soon discovered that his views were much more conservative than those on which I had been acting with the support of previous Viceroys. I had no doubt that if he had come sooner the reforms which I had already started would have been decidedly checked, and would never have reached maturity. However, much was already done, and it took Lord Northbrook some time to master the Government of India before he decidedly interfered with our advance in Bengal, so I got a little more time till the next visit of the Government of India to Calcutta. Meantime the reforms were taking root. In the summer of 1872 I was concocting my first administration report, nominally for the year 1871-72, but which really brought up the history of Bengal from the time of my assumption of office to the date of the publication of the report in the autumn of 1872. That was the first and most prosperous period of my government. In that report I exposed the principles and views on which I acted, and marshalled the reforms effected or commenced in systematic order, so that my conduct was explained and better understood than when different measures, unpleasant to different men, seemed to be separate, rather than part, of a general scheme; the only union being in the chorus of condemnation from the injured interests. When the matter came thus to be better understood, I think there was a good deal of softening of opinion, and some turn in my favour. Perhaps, then, I cannot do better than here reproduce the part of the report which deals with my general policy.

The report ran thus:—

"Before proceeding to the operations of the various departments, seeing that the year 1871-72 was the first complete year of the present Lieutenant-Governor's administration, it may be well briefly to explain the situation to which he succeeded and the general character of the course which he has followed.

"The Bengal civil administration has for long widely differed from that of other parts of British India. That it has been so may be said to be in some degree the result of an accident rather than the original design of the framers of the system.

When after many trials and much vexation and difficulty the Government of Lord Cornwallis, abandoning the attempt to manage the land revenues in a more direct fashion, made them over to zemindars, who were bound to pay their quotas into the Collector's treasury under penalty of sale of the estates confided to them, it became unnecessary to maintain the tehsildars, or native collectors and establishments subordinate to them, who in all other parts of India collect the revenue in sub-divisions of the districts presided over by European collectors. These native collectors have since become much more than mere tax-collectors, being in fact in their degree administrators for very many purposes, just as the District Collector is an administrator in his superior degree. In some respects indeed the tehsil establishments are the very backbone of our administration in most provinces. But they are to this day entirely absent in Bengal, and the circumstance has much detracted from our knowledge and means, and causes the want of an important link in the connection between the Government and the people. Many things done by tehsildars in other parts of India are not done at all, and many things which we should know through them we do not know. For many things which must be done there is a constant deputation of temporary Deputy Collectors, surveyors, and other occasional establishments, under a system which is very inconvenient and unsatisfactory in many respects.

"At first the superior police administration also was entrusted to the Bengal zemindars, but it was soon found that they were unequal to this duty, and they were relieved of it. The obligations in regard to village police, keeping the peace, and the duties of watching and apprehending criminals, giving information, etc., attached to the holding of land, were continued; but a superior Government police were established, and the country was portioned out into police circles or thannahs. This police long remained the only permanent mark and instrument of our rule in the interior of the Bengal districts, till at a late period subordinate judicial establishments were also pretty generally established. For executive purposes, however, the police are to this day the only permanent instruments available.

"Although at the time of the permanent settlement the collection of the land revenue was made over to the zemindars and certain proprietary rights were assured to them, still, as the Lieutenant-Governor has several times had occasion to point out, nothing was further from the intentions and acts of the Governments of Lord Cornwallis and his immediate successors than to bestow on the zemindars an absolute property in the English

sense, or 'to abstain from interference between landlord and tenant' according to the phraseology of more modern days. This much any one who will take the trouble to read the Regulations of 1793 and the following years may see for himself. Those early Regulations were most careful in their provisions for restraining the zemindars and protecting the ryots. The zemindars were prohibited from ousting the ryots or from taking rents in excess of the rates established by custom for each local division or pergunnah. They were bound to maintain the village accountant or putwaree, and to file full accounts of their demands and collections with the canoongoes or superior accountants and record-keepers of sub-divisions under the Collector, who was thus to have complete information of all revenue affairs and easy means of reference in regard to all questions of rent rates, etc. A general power of interference on behalf of the ryots was reserved by express enactment, and a registry of all rights and obligations was to have been compiled. This last great work, however, was never carried out. Various attempts were made to organise a canoongo establishment in different parts of the country, but there was difficulty about funds, and the arrangements were never completed, till, a generation later, a time came when different ideas prevailed, when canoongoes were abolished, putwarees discouraged, when zemindars were considered to be landlords in the English sense, and interference between landlord and tenant was said to be contrary to the laws of political economy. Meantime it had also become in most instances quite impossible to use the zemindars as administrative instruments. Most of the original zemindars failed to pay, and their estates were sold and split up. By the operation of the Hindoo and Mahomedan laws of inheritance, and a vast system of sub-infeudation, the rights in the land have come to be held by many sharers and in many gradations of over and under holders; and as mere property those divided rights are held in very many cases by speculators, women, children, and others from whom no administrative help could be expected. It may be said too that, while there has been a general tendency much to insist upon, and indeed exaggerate, the rights and privileges conferred on landholders by the permanent settlement, there has been at the same time an equal disposition to forget, evade, and ignore the terms, conditions, and obligations attached to those rights and privileges by the very Regulations which conferred or confirmed them. The idea of property has become stronger and stronger, and the idea of obligation attached to the functions of landholder has become

weaker and weaker. It may be said that every point about which there could be any doubt has been allowed to settle itself in favour of the landholder and against the public.

"Thus, then, it has happened that in the provinces which we have held the longest of any in India, we have less knowledge of and familiarity with the people than in any other province; that British authority is less brought home to the people; that the rich and strong are less restrained, and the poor and weak less protected than elsewhere; and that we have infinitely less knowledge of statistical, agricultural, and all other facts.

"While the Governor-General in Council was the Governor-General of Bengal, and the Central Government resident in Calcutta directly administered the Bengal territories, those territories had the attention of a strong Government in theory at least; they were recognised as a most important charge both of the Governor-General himself and of the Members of his Council, and to the very last year of that form of Government we find in the Regulations that the old principles of the permanent settlement were adhered to. The statute books of the years 1817, 1818, 1819, are full of Regulations for putwarees and canoongoes, and down to 1833 we find the obligation of zemindars to file their papers and accounts still insisted on in a fresh Regulation.

"But when in 1834 the Governor-General and his Council became Governor-General of India in Council, and the Governor-General became Governor of Bengal without a Council, a great change in Bengal administration took place. Lord William Bentinck probably never lost his interest in Bengal, but in Lord Auckland's time more distant politics wholly engaged the attention of the Government of India. In the days of his successors new kingdoms came rapidly under British sway and engaged more immediate attention. The Governors-General were constantly absent in the Upper Provinces for years together, and the Government of Bengal was generally entrusted to the Senior Member of Council, sometimes an experienced civil administrator, sometimes a military officer entirely without any such experience; but always in an uncertain and casual and temporary sort of way. The Governor-General sometimes took charge, and a strong man made a strong will felt; but it was totally impossible that he could master or attend to the details of an administration very widely different from those with which he was brought more immediately in contact. Under this system the real administration in details was very much left to two important bodies—the Sudder Court superintended judicial

affairs, and the Board of Revenue obtained a much larger authority in revenue matters than in other parts of India.

"It seems to have been in the Board of Revenue that the views regarding extreme rights of property and non-interference, to which allusion has been made, had their origin. Little as these views are consonant with the principles of the permanent settlement most plainly set forth in the Regulations, the permanent settlement has been in loose and general terms appealed to in their support. It has been the fashion with a certain class of Bengal politicians to denounce every reform—it may be said every attempt to obtain information—as contrary to the permanent settlement. It may also be said that at one time, to ask a ryot his name, anywhere but in a court of justice, would have been considered by some people contrary to the principles of the permanent settlement.

"In 1854 a separate Lieutenant-Governor of Bengal was appointed to administer that Government: and the office has been filled by most able and distinguished men, by comparison with whom subsequent rulers must feel their task a difficult one. Still the work to be done was then enormous, and it may well be that the great improvements and advances which they have made in spite of drawbacks and difficulties have left something to be effected by their successors. It may be mentioned too that in the time of the first two Lieutenant-Governors, the Bengal Government had no legislative authority. The Bengal Legislative Council only commenced its labours under the Indian Councils Act of Parliament in the last days of the administration of Sir J. P. Grant. Till then nothing, however small, requiring legal sanction could be done without obtaining an Act of the Indian Legislature.

"The events of the Mutiny necessarily caused things to be a good deal thrown back; and there were in those days great domestic evils to be coped with. It has been said that in Bengal the rich and powerful have been less restrained, and the poor less protected than in other provinces, and up to that time this was so in the most literal sense of the word. There was in the interior of Bengal a lawlessness and high-handed defiance of authority, by people who took the law into their own hands by open violence, which would not have been tolerated for a moment in any other part of India. It required all the energies of the first Lieutenant-Governor to deal with these and other patent evils; and it may be said that the government of the second Lieutenant-Governor was a continued struggle with questions arising out of past lawlessness and affecting important

interests which suffered by the transition from an old-fashioned state of things to a rule of law and order. He succeeded in this task, and achieved a very lasting improvement, but he was, it is believed, wearied by the struggle, and retired before completing the usual term of office.

"One of the most important results of the measures taken by the two first Bengal Lieutenant-Governors was the establishment of sub-divisions of districts, in each of which an officer was placed with the powers of a Magistrate and some other powers. The system has even yet not been fully carried out in all districts, but in most districts it has been so, with the effect of very greatly reforming the habits of open lawlessness above mentioned. A Bengal sub-division is on the average perhaps about twice the size of the tehsil of other parts of India, or even larger, but still the institution has sufficed to bring to the knowledge of the people of Bengal that there are courts for the redress of flagrant and open injuries; and so far the hands of the District Magistrates have been very greatly strengthened.

"About the same time, however, a change took place which greatly detracted from their executive authority. Under Lord Canning's Government it was determined to reform and reorganise the police all over India, and under a new police law the force still known as the new police was organised with a good deal of military form in its composition, and under a departmental control, which made it to a great degree independent of the magistracy. In other parts of India the Magistrate-Collector had still revenue and executive establishments to fall back upon; but in Bengal, where he had none such, loss of authority over the police meant loss of almost all executive authority, or at any rate of all executive instruments. As departments were multiplied, and more and more masters put over him, the Magistrate-Collector of a district became more of a drudge and less of a master than is desirable in a country where personal authority must always go for much.

"The Lieutenant-Governor ventures to think that in the sub-divisional and other arrangements hitherto subsisting, too great prominence has been given to judicial and too little to executive considerations. The sub-divisional officers have no executive establishments whatever, and no authority over the police; they have been little more than local judges of petty criminal courts, and latterly they have been so much tied down by treasuries and sedentary duties of various kinds, that it has been scarcely possible for them to make those inquiries on the

scene of crimes and other serious occurrences by which the benefit of a local magistracy is chiefly felt. Courts, both civil and criminal, are now pretty generally spread over the country (though even now there are but few compared to the greatness of the population), and if courts could do everything the deficiency would not be so great. But the Lieutenant-Governor has had too much experience of, and practice in our courts to be very confident that what the people think justice is always secured. It is the fashion among some Englishmen to suppose that everything must be right which is done under the forms of law, but it may be that our courts are sometimes Juggernaths, crushing those who fall under their relentless wheels as they follow the course traced out for them by law and rule. The appetite for an excessive legal technicality grows rapidly in India, and it may be that the rich man with troops of lawyers at his back still sometimes oppresses the poor as much as when he operated with troops of club-men.

"Not only did the Mutiny directly interfere with the course of administration, but also by its indirect effects it much influenced the subsequent course of things. It led to one of those strange oscillations of Indian opinions which seem to occur periodically like the tides. By a very unintelligible concatenation of ideas, because the North-Western Provinces had been the chief scene of the sepoy mutiny, it was held by many that the civil administration of those provinces and of the Punjaub, previously believed to be remarkably successful, must be bad. Many people thought that the mere fact that an institution obtained in those provinces was enough to condemn it. Settlements of the land with small holders were declared to be open to every possible objection, and there was a great revival of the school which maintained the advantage of great landlords and absolute rights of property. In 1859 a very important Act for the regulation of the relations between landlord and tenant, based upon old principles with some modern additions, was passed quietly enough; but soon after there sprung up a storm of opposition; it was denounced as confiscation of the rights of landlords; attempts were made to put upon it a construction which would have nullified all the protection it afforded to ryots; and it was not till after years of hot and angry discussion, and keen litigation, that the highest court gave to it an authoritative construction, and settled the action of the courts into a course not unfavourable to the ryots who have means enough or combination enough to litigate.

"Occupied as the Bengal Government was by many things

in provinces so much greater than any other Indian administration, with the addition of much political frontier business, it is not surprising that the Board of Revenue retained much of the authority in matters of departmental administration which it possessed under the previously subsisting practice. It may, perhaps, also be permitted to the present Lieutenant-Governor to observe, as some excuse for seeking to do some things not done by the distinguished men who preceded him, notwithstanding his extreme inferiority in natural and acquired gifts, and his entire want of that broad experience in the Secretariat and in the Government of India which they possessed, that some of them had had very little practice as executive officers, and were perhaps on that account less prepared to deal with executive details during the short term of Indian office than they otherwise might have been. It is only repeating too what is generally believed, to observe that their action was said to be much hampered and retarded by an unfortunate difference of opinion on minor matters which seems to have very frequently occurred between the Governments of India and Bengal, and which does not seem to have been allayed by the presence in the Council of the Governor-General of a Bengal Civil Servant, who not unfrequently differed from the Lieutenant-Governor in office to be differed from when he succeeded to the Lieutenant-Governor's post.

"The events of the famine of 1866 brought prominently to notice the inconveniences which resulted from the semi-independent action of the Government and the Board of Revenue respectively, and the consequent want of a common understanding; and still more the evil which must on such an occasion result from the want of knowledge of, and power of action in, their districts on the part of district officers without an executive establishment. The calamitous events of that year gave rise to an inquiry by a Commission of which the present Lieutenant-Governor was a member, and the occasion was taken to direct a report on the Bengal system of administration, with a view to the suggestion of improvements. In this also Mr. Campbell took part. That report was the subject of much review and consideration by the members of the Government of India and successive Secretaries of State, but no definite conclusions were arrived at on the general questions involved for some years, during which local reform was as it were in abeyance; the more so as Sir W. Grey, thorough and able administrator as he was, was a man of a decidedly conservative temperament. Eventually a definite policy was marked out on some particular subjects, to

which the late Lieutenant-Governor, Sir W. Grey, had not given a complete adherence.

"When then, after a somewhat lengthened absence from India, Mr. Campbell was called from his home in the North to preside over the administration of Bengal, he could not but feel that, taken as he was from the rank and file of the service without having filled the posts which usually lead to so great an office, it was intended that he should carry into practice views which he was known to hold in general accord with the declared policy of the Government of India and of Her Majesty's Government in England, and that to this end he was selected as a man who, without the qualifications of previous Lieutenant-Governors, had this advantage, that as a simple executive and judicial officer he had served in every executive grade and most judicial grades in many provinces. It was, he believed, considered that he would thus bring to the administration a somewhat wide experience of details acquired under a considerable variety of circumstances, and that he might be enabled to work out in practice, with the assistance of the able men of prolonged local experience by whom he would be surrounded, the problems which had occupied the Commission of which he was a part, and the Governments which had considered these matters. On the main questions of provincial finance and local taxation, on the condition of the ryots, on the collection of statistics, and on other matters, express orders had been issued, and in respect to some other questions orders have since been received. By these orders, and by the spirit of these orders, he has been guided. Feeling then that he had in some sort a special task to perform, and that life, especially Indian official life, is short, while Indian discussions are very long, Mr. Campbell has thought it his duty to go to work without delay, not sparing labour, by which he has hoped to make up for other deficiencies. If it be thought that he is open to the charge of going too fast, it must be remembered that he came to deal with matters which he had long thought out and the principles of which the Government had already very fully discussed; and that it is only by active exertions that he can hope to make an impression on a very large undertaking.

"In this undertaking he has had several special facilities. The very liberal financial concession made by the Government of India to the local Governments immediately before he took office, by which the funds devoted to the principal civil departments, including the Police, Jails, Education, Civil Public Works, with the Medical and some other branches, were put in one sum

at their disposal, has enabled him to deal with departmental details in a way which would have been totally impossible under the former system. And the system of local taxation on which the Government of India and Her Majesty's Government had determined, and which it was perhaps his principal duty to carry out, while involving much and anxious labour, has at the same time rendered necessary and inevitable the collection of facts and the creation of machinery which will much assist the administration in many ways, and which it might have been otherwise very difficult to obtain. Above all, the Lieutenant-Governor feels that he has had the very great advantage, not always enjoyed by his predecessors, of the hearty support and assistance, he hopes he may venture to say confidence, of the Government of India. That alone makes possible a task which would have been under any other circumstances impossible.

"On the other hand, Mr. Campbell has been unfortunate in the removal of some of the experienced officers on whom he most relied for aid. It is totally impossible that any man can properly perform single-handed the work of this great Government. As the Government is at present constituted, the two Civil Secretaries must be more than Secretaries; they must be ministers of departments. But very soon after Mr. Campbell's appointment, one of the Secretaries, Mr. Eden, who has so long had a very large part in the Government, was promoted to preside over the administration of British Burmah. Not long after, the health of the other Secretary, Mr. Rivers Thompson, an officer on whose knowledge and judgment the Lieutenant-Governor especially relied, became indifferent, and a short leave having failed to restore it, he was a little later compelled to go to England on furlough. The return of an officer so able and experienced as Mr. Dampier would have filled the blank thus made; but Mr. Dampier had been back but a few months when he too was promoted to an office under the Government of India. The Lieutenant-Governor has no doubt that there is no dearth among the members of the Civil Service in Bengal of able men well fitted to fill all the vacancies which have occurred in these and other offices, and with one exception they have all been so filled. But seeing the peculiar circumstances in which he was placed, and how impossible it would be for himself individually to elaborate all details of measures which might combine the best parts of his experience in other provinces with those things in which Bengal excelled, he thought it very desirable to associate with himself and with the Bengal officers serving with him, one

very able officer of the Bengal Civil Service, who had much experience in other parts of India both as a Secretary and as an executive officer; and the Viceroy in Council was accordingly good enough to place at his disposal the services of Mr. C. Bernard, then attached to the Central Provinces. Of him the Lieutenant-Governor may say that his assistance has been as invaluable as his devotion to the public service has been untiring. The Lieutenant-Governor feels sure that however unusual the step may have seemed at the time, the officers more constantly employed in Bengal will not regret the circumstances which brought Mr. Bernard among them.

"Mr. Campbell had on one occasion, in stating his views, spoken among other things of 'governing more actively' than had hitherto been the case, and the following extracts from a letter in which he explained the sense in which he used that phrase may be useful as indicating the course which he has attempted to follow:—

"'To govern more actively means to use the power and influence of the executive more actively and decidedly in promoting and, if need be, compelling the honest performance by each class of the obligations which undoubtedly attach to it by law or otherwise, but which are too often evaded in practice; and to apply remedies by legislation or executive action for those defects and wants which a thorough knowledge of facts may bring to light. With this view the Lieutenant-Governor would seek information in regard to the country and the people of all degrees, and thus obtain the means of elaborating any measures which might seem to be required with greater confidence than when we are ignorant of very much that we ought to know. By the system of non-interference he means the practice of not seeking to obtain detailed information, and of deeming it enough to set up courts of justice, to keep the peace, and to dispose of matters which force themselves on the attention of Government. The Lieutenant-Governor has often felt, and he apprehends that others must have often felt, how difficult it is to do justice to the country or to particular tracts—how impossible it must be to lay Bengal administrative questions fully before the Government of India—when the statistics of Bengal and Bengal districts were and are so incomplete. As an illustration of what the Lieutenant-Governor means, it may be mentioned that we have (as has already been reported in other communications) no reliable information—even approximate—regarding the area of land under cultivation, the prevailing rent-rates, or the breadth sown with the different crops. We do not

know what districts produce more food than they consume; what districts hoard food, and what districts export food. At the present moment if a famine were to occur in one part of Bengal, this Government could not tell from whence the deficiencies of the famine tract could best be supplied. Less than two years ago, when the Government of India had before it the great Soane Canal scheme, the revenue officers of Behar were reluctantly obliged to confess that they could give no statistics of the area under the plough, of the irrigated lands, of the different kinds of crops, over the tract which was to be watered by the proposed canal. The Supreme Government had therefore to decide upon undertaking the Soane Canal without any of the information which is available in such detail from other parts of India. In regard to the population of the country and of the several districts, the Government of Bengal was very much in the dark. Houses had been counted, or were supposed to be counted in some sort of way in most districts, at different times during the last thirty years. But it is only during the present year that a census of Bengal was undertaken under the orders of the Indian and the Home Governments.

"'At the same time Mr. Campbell would specially wish to guard himself against the supposition that he means to claim for the present Government the ability to obtain complete information, or to suggest that previous Governments have failed to seek information. It is merely a question of degree. He believes that his predecessors had not sufficient machinery to obtain all the information they would have desired, and that a somewhat excessive reliance on the efficacy of a permanent settlement and a judicial machinery had, at one time, led some high authorities to think detailed information less necessary in Bengal than in other parts of India. He believes that one great misfortune and some other difficulties attributable in some degree to a lack of knowledge, had convinced both the Government of India and Her Majesty's Government—he may say successive Governments—that Bengal could not be safely governed, with due regard to the lives and the happiness of the people, without a more intimate knowledge of them and their affairs; and he has considered it to be his duty and his function to seek to obtain more information than we have hitherto possessed. In that view he thinks he may assert that he had the fullest concurrence and support of the late Lord Mayo and the members of the Government of India. He believes that he only sought to follow the course marked out for him by superior authority. In doing so he neither claims any special credit for himself, nor

would throw the smallest imputation of remissness on the very able men to whom he feels himself but an unworthy successor. The present Lieutenant-Governor only humbly undertakes to the best of his power that particular phase in the administration which the course of events has made, as it seems to him, imperative on any Government of Bengal at the present time.

"'So far then as it is proposed to make any change in the policy which has been pursued in Bengal, the change may be described as being, in its present stage, mainly a change from a less seeking of information to a greater seeking of information, and not a change in the positive principles of Government.

"'In the last paragraph of the despatch, the Secretary of State expresses doubt regarding the meaning of a passage of the Lieutenant-Governor's letter to the Board of Revenue, dated 10th June 1871, in which he says,—"If the Road Cess Bill is passed it will be absolutely necessary, in carrying it out, to fall back on the still subsisting regulations, and on the duties of landlords and functions of Government recognised in earlier days." I am to explain that this passage refers to the obligations imposed on the zemindars by the code of regulations under which the permanent settlement was established, and other regulations supplemental to it. In former days the zemindars were bound to report for record their holdings, their successions and transfers, to maintain accountants, and to file in the Collector's office full information regarding their under-tenants, their rent-rolls, and everything connected with their estates; while the Government undertook to appoint canoongoes who were to superintend the work, to compile the district and pergunnah registers, to record the transfer of estates, and to keep the Government informed of all those transactions concerning the land of which we have now so little knowledge. What the Lieutenant-Governor meant to express, and thinks that he may with confidence repeat, is that with a view to the valuation and record of tenures in the land which the Road Cess Act involves, it is absolutely necessary that we should again require the landholders to give us the information which they were required to give by the very constitution of their tenures under the original settlement laws; while the Government must arrange to receive and compile and test the papers filed by the zemindars, and must thus become acquainted with the economy and management of estates somewhat in the manner contemplated by the Governments of Lord Cornwallis and of his successors.

"'If this had not been required by the Road Cess Act, the Lieutenant-Governor has no doubt that it would have been

his duty to represent that, as the first step towards putting ourselves in a position to understand the most important rights and interests of the people whom we govern, it was most essentially necessary to give effect to the old regulations requiring landlords to register their holdings and the tenures of those holding under them; but that having been settled as an incident of the system of local taxation under the Road Cess Act, which has received the sanction of the Viceroy and of Her Majesty's Government, it is now unnecessary to state the great work of a register of tenures as a proposal requiring sanction.

"'The Lieutenant-Governor desires very distinctly to assure the Government that His Grace the Secretary of State is entirely correct in supposing that he is not making inquiries with a view to new legislation in restriction of the legal rights of zemindars. So far from contemplating anything of the kind, Mr. Campbell has repeatedly acquiesced in the view taken by the great majority of the highest and most experienced officers who have been consulted, that it is not desirable to re-open the settlement of this most difficult question which has been arrived at by the legislature and explained by the decisions of the highest tribunals. Whether there may or may not be particular points in respect of which amendment might be reasonably suggested, Mr. Campbell entirely concurs in the opinions expressed, to the effect that the people having become accustomed to the existing law, it should not be materially altered without the strongest grounds.

"'If in any respect there has been question of any action in the direction indicated by the Secretary of State, it has only been for the purpose of giving effect to some of the most plainly expressed and best-known laws in the statute book, in districts where the ryots are incapable of fighting their case in court; and even in that respect Mr. Campbell has not been inclined to push too hotly a strict observance of the law, having much respect for what is termed in the despatch "the adjustments which depend on custom," and being somewhat unwilling to disturb them, even when they go beyond the law, so long as they do not lead to very grievous practical injustice or loud complaints. The Lieutenant-Governor's action on this subject has been confined to a district of Orissa where the Collector reported very serious abuses and excessive extortions from ryots especially protected by leases direct from Government, and where in consequence some inquiry has been deemed necessary.

"'The Secretary of State rightly interprets the inquiries

directed by the Lieutenant-Governor to be only directed to obtain information on "matters on which it is of the first importance that Government should be well informed."

"'The following passage of the despatch describes the Lieutenant-Governor's object and intentions in a way to which he can add nothing:—

"'What I understand him to require is only such general and detailed knowledge of the condition of the agricultural population, in all the main elements which affect it, as ought to be in possession of every civilised Government, and especially of a Government which, whether for good or for evil, stands very much in the relation of a landlord as well as of a Government, to large portions of the people.

"'Mr. Campbell's present action and objects in regard to the matters which form the subject of these passages and some other matters may in fact be summed up in the one word—*Statistics*. He believes that statistics are not an end, but a means to an end; and he thinks that a better knowledge of the country and the people of a province where our knowledge has fallen so far behind that which we possess in other provinces of India, will probably tend to improvement in the administration. But meantime, in the present stage, he is in truth doing little more than trying to ascertain facts. If he succeeds, even in a very moderate degree, in that attempt, then he, or those who may come after him in the Government, will be in a much better position to proceed with confidence in any measures for the amelioration of the condition of the people which may be suggested by the facts brought to light.'

"As regards statistics it will readily be admitted that the census is a great statistical work, which has, under the circumstances already related, very sufficiently taxed the energies of our officers during the past year; and the Lieutenant-Governor believes that there is substantial truth in the warning given by some of our best district officers, that the Government must not expect that, because they have successfully accomplished this service, they can do likewise in other matters. The census, taken as it was with so small machinery, was a great effort, involving a tension which cannot be continued; and the Lieutenant-Governor is sensible that he must wait till the additional establishments which he now hopes to obtain are organised, before again asking for statistics on a very large scale. He is very anxious to get some of the agricultural statistics in which we are so sadly deficient, and which are notably wanted with reference to the great irrigation works which we have under-

taken. But he has felt that he must be moderate in the demands which he makes from *all* districts, and for the present he purposes to confine his arrangements for more detailed agricultural statistics to four specimen districts in different parts of the country in which special establishments are being organised for the purpose. Similarly, in regard to vital statistics, despairing of soon getting reliable figures for the whole country, the Lieutenant-Governor has arranged to select, in connection with the census arrangements, certain limited specimen areas of town and country in each district, in which the census has been taken with more than ordinary care, and for obtaining from these vital returns for which special arrangements are in progress.

"At the same time arrangements have been commenced for the collection and preparation of statistics of a more general character, which, it is hoped, will fructify when sufficient establishments are available.

"Meantime the Lieutenant-Governor has been anxious, as far as possible, to familiarise the local officers with the intelligent use of simple statistics, and especially to induce them to observe facts which every district officer ought carefully to watch. For instance, a weekly return of the state of the weather and the crops in each district published speedily and punctually must be most useful for many purposes, and is most necessary to enable the superior authorities to watch events in a country where such a surprise as the famine of 1866 was possible; and the Lieutenant-Governor is glad to find that in establishing a weekly return of this kind, he is in complete accord with the Government of India, which has adopted a similar practice for all India. The state of agricultural prospects with the rainfall and the weather is sent in from each district at the end of each week, and published in the *Calcutta Gazette* of the following Wednesday, with latest intelligence up to Tuesday sent by telegraph from some of the principal centres. This last information is also every alternate week telegraphed to the Government of India for incorporation in the general return of the *Gazette of India* of the following Saturday. This may not be very much in itself, but it is important as turning the attention and thoughts of our district officers into a channel which had been too much neglected. At first it was not always understood that such things could be deemed important. The return was in some cases supposed to be mere routine, and was left by some officers to inferior clerks, who sent in curious statements in grotesque language; but it has now come to be understood that the Government mean these returns to be real, and the

Lieutenant-Governor believes that in consequence large numbers of officers now mark intelligently the effect of the season on the crops, and the state of that industry which is in an overwhelming degree the most important in the country, who formerly took no sufficient heed of such things.

"The want of knowledge of their districts on the part of district officers, under a system which has involved lamentably frequent changes, was brought prominently to light in a correspondence with the Board of Revenue at an early period of the present Lieutenant-Governor's administration. The Board said 'Great difficulties will arise in the collection of the necessary data from the fact that in the permanently settled districts there is at this moment scarcely a Collector who has been long enough in charge of his district to be at all thoroughly acquainted with the details of its past and present physical and social condition. Only six[1] Collectors in the Regulation Provinces of Bengal have at this time been in charge of their respective districts for a period of two full years, and only two out of these six for four years.'

"The Lieutenant-Governor has been most sensible of the evils here depicted, and his most strenuous endeavours have been used to remedy them. The remedy was far from easy. Not only do the constant changes and promotions of the Indian service, and the constant furloughs under very liberal furlough rules, lead to much inevitable change, but also the pressure brought to bear on Government on the part of officers, with whom or with whose wives the climate of particular districts is stated not to agree, is very great. A kind of belief seemed to have grown up that an officer who had served for a certain period in districts of a certain character, had a kind of prescriptive claim to be transferred to other parts of the country where the climate is different. The Lieutenant-Governor has felt himself constrained to set his face against these pleas. He has found it necessary to declare that the claims of the public service must prevail even against good and reasonable claims of individual officers.

"A good deal of promotion having occurred in one or two previous years which the return of senior officers might have thrown back, the Lieutenant-Governor has nevertheless thought it on the whole better to retain in charge of several districts junior officers who had acquired some knowledge of them, and who were likely to remain long enough to cure the defect of

[1] A few months before he left Bengal, Sir George Campbell was able to report that in December 1883, thirty-two Collectors in Bengal and Assam had been in charge of their respective districts for at least two years, and out of these many had been in charge for much longer periods.

youth, rather than eject them in favour of officers somewhat senior. In this and other matters he has been obliged to tell some officers that they must submit to what might be due to the chances of the service, and wait their opportunity.

"Further, while not attempting any definite scheme of separation between the executive and judicial services, and not being yet clear whether the advantages or the disadvantages of such a separation would preponderate, the Lieutenant-Governor has felt strongly that the number of changes is doubled by constant transfers on promotion from executive to judicial and judicial to executive offices; and that in fact many men, especially among the new competition service, are best fitted for judicial, while others are best fitted for executive work. Undoubtedly, not a few men who are very indifferent executive officers make fairly good judges, and some who would be bad judges make fair executive officers. The Lieutenant-Governor has therefore, as far as is possible under the present system, selected men for either line and kept them in that line without strict regard to relative seniority in the general service. By these means he has succeeded, he hopes, in rendering changes very much less frequent than hitherto. He much wishes he could make them less frequent, still, but under the rules and conditions of the service they are sometimes inevitable.

"On the whole question of seniority, while paying due regard to that claim, other things being equal, and giving it fair weight under all circumstances, the Lieutenant-Governor has felt that the exigencies of the public service are so great that it is impossible that promotions and the employment of officers can be too entirely regulated by seniority or by standing in any roster. He has found it necessary plainly to tell officers of the police and other departments, who claimed to seek explanations in every case in which they did not obtain promotion in what they considered their turn, that he cannot recognise any service list to be of the nature of a regimental list, in which promotions are to go in order, save in case of grave fault or other extreme cause. He has said that not only merit, but also the particular requirements of the public service, must guide the head of the Government, at the same time that he weighs to the very utmost of his ability all claims, seniority included.

"Even in the Civil Service claims grounded on seniority have been sometimes put forward, which are quite inconsistent with the very arduous and important character of the duties entrusted to the members of the service. It so happened that the late Lieutenant-Governor, Sir W. Grey, had shortly before

his departure put on record notes very strongly repelling pretensions of this kind, and the present Lieutenant-Governor, having made some appointments to very important districts somewhat out of the strict order of seniority, took occasion to make known to those who complained that he held himself fully justified in doing so whenever in his judgment the course followed was advantageous to the public interests. Some agitation seems to have taken place among some of the members of the service, who at one time appeared to be in danger of overstepping the limits of decorous discipline. Their views were understood to be that the Government might choose for special appointments, but that as regards the ordinary branches of the executive and judicial services, the charge of districts and similar appointments, it was bound, by the rules and privileges of the service, to promote in order of seniority, unless very strong and special reasons to the contrary existed in the case of any particular individual. The Lieutenant-Governor would most certainly have repelled such pretensions as his predecessor had done, and would have expressed his most especial dissent from the rule suggested. Of all appointments the charge of a district is that which he thinks most to require careful selection; and he can imagine nothing more injurious to the public interest than a practice which might put in a position of inferiority, under a routine rule of promotion, the real backbone of the administration—the local service. Any such rule would put the Civil Service in the same position as some of the regiments of the old sepoy army, when all officers who had interest or recognised merit got staff and civil appointments, and the regiments were left to those who failed to get such appointments and whose promotion was regulated by strict seniority alone. The Lieutenant-Governor was happy to know that the better sense of the service prevailed; the pretensions alluded to were not supported, and he had no occasion for discussions which might have rendered inharmonious his relations with those upon whom he must rely for the success of all the measures which he attempts. He hopes that his course of action is now understood. The members of the service may rest assured that he will always study their just and reasonable claims, so far as may be possible.

"While the Lieutenant-Governor feels that the business of so great and diversified an administration is so heavy that there is much reason for relieving the head of it as much as possible, he has still felt bound to assume, for the present at least, the same degree of control over the affairs managed by the Board of Revenue which is exercised by other Governments in India; and

the confirmation of settlements of land revenue and other questions of which the Board had formerly disposed are now submitted for the final sanction of Government. In making this change, the Lieutenant-Governor was actuated by no distrust of the eminent and experienced members of the Board; but, in addition to general considerations, he thought it desirable that he should have an opportunity of reviewing the system followed in the departments under the Board as well as in other departments, and of comparing the practice with that of which he had experience in other provinces, particularly in respect of questions connected with the land and land revenue. In the course of this review, he has been able to add to the many admirable arrangements of the Board some additional methods, which have been tested by long experience elsewhere, and which he hopes may prove beneficial. Other suggested improvements are in course of consideration, and the subject of further discussion and trial.

"With regard to the Board itself, that body has almost ceased to exist as a Board, the Lieutenant-Governor having, by way of experiment, taken advantage of an old law, enabling him to assign the full power of the Board to any member, in order to make the two members respectively the heads of two great departments—an arrangement which has been approved, experimentally, by the Government of India and the Secretary of State, and which has been, the Lieutenant-Governor ventures to hope, so far eminently successful.

"The great department of Land Revenue has had the undivided attention of the senior member, Mr. Schalch, who has thus brought his great knowledge and experience to bear upon the many important matters connected with it, and who has also undertaken the charge of the road cess operations.

"The junior member, Mr. Money, C.B., has had charge of all the other sources of revenue, salt, opium, customs, excise, income-tax and stamps.

"It is admitted freely by both these gentlemen that the efficiency of the executive administration has been much improved by the arrangement, and indeed the only argument advanced by one member against its continuance has been the suggestion that in its divided state the Board is less qualified to offer a 'firm opposition' to the views of Government than in times past. The Lieutenant-Governor is not however prepared to admit that it was ever intended that the Board should be charged with the duty of opposing the Government, and he agrees entirely with Mr. Schalch, who points out that it is quite possible under present arrangements for both members of the Board to advise the

Government or consult together, while the executive gains in promptness and efficiency by a division of duties.

"In reporting on the arrangement after a year's trial, the Lieutenant-Governor said :—

"'For his own part the Lieutenant-Governor may say that, although it may be that, if it had been necessary to consult both members on every subject, there might have been differences of opinion, yet it has so happened that he has been so fortunate as to have the concurrence of the particular member in charge of the particular department in almost all the questions that have arisen. Any exceptions have been very rare indeed. The Lieutenant-Governor has not failed to avail himself of the opinion of the second member in cases which presented features of peculiar doubt and difficulty; but in ordinary cases His Honour has felt that, when his own opinion concurred with that of the member who had given his complete attention to the subject, he might proceed with confidence, and that under such circumstances the evils resulting from a multiplicity of councillors would have much overbalanced the gain.

"'His Honour has long felt the necessity for somewhat shortening the present excessive length of the official chain, and now that the Board has for most purposes ceased to be a Board, His Honour is very anxious to establish more close personal relations between each member or head of a great department and the head of the Government. The Lieutenant-Governor is quite sure that there would be a very great gain, if some plan could be devised by which the heads of the principal departments should be made more essentially part of the Government without involving the delays and loss of working power which have attended the old-fashioned institution of councils. The Lieutenant-Governor has already intimated to the Government of India that he is maturing for submission somewhat wide plans of official rearrangement, and His Honour would ask to be allowed to retain the present arrangement in regard to the Board of Revenue till those plans are matured and considered.'

"In reply to this communication the views of the Government of India were expressed as follows :—

"'The Governor-General in Council has read these papers with great interest and satisfaction. The wisdom of the change made last year has apparently been demonstrated by experience, and His Excellency in Council has no hesitation in sanctioning the continuance of the arrangement.

"'His Excellency in Council will await with interest the submission of His Honour's matured views on the subject of

official rearrangements referred to in the last paragraph of your letter under reply.

"'These papers will be forwarded to Her Majesty's Secretary of State.'

"In the general supervision of other departments also the Lieutenant-Governor has made and is making considerable changes. Hitherto the departmental chiefs, Inspectors-General of several departments and the Director of Public Instruction, have in some respects exercised a large authority almost independent of Government control. In the exercise of this authority they have not, the Lieutenant-Governor has thought, been in sufficient accord with the superintending local authorities, the Commissioners of Divisions; while the local officers of districts have for some purposes had too many masters. For many purposes there has been a want of any means of sufficiently concentrating and comparing facts and results. In reviewing the departmental and local reports the Lieutenant-Governor has thought that there is not sufficient method to enable the Government really to keep together the strings regulating so many provinces and departments as they should be kept together. For instance, in the Department of Police, the Inspector-General, who had hitherto no authority in respect of dealing with crime, but who had almost the authority of a commanding officer over the whole police force, submits an annual report without the least correspondence or comparison with the local Commissioners. The Commissioner of Police for Calcutta and the Suburbs submits another report; the Commissioner of Assam is expected to submit another police report; and eleven separate Commissioners of Divisions submit eleven separate reports on crime and the working of the police without any comparison of facts or figures with the superior police authorities.

"So again in the Department of Education the Director has annually submitted an exceedingly thick report, which has generally contained very little general information and analysis on his own part, but is full of reports and figures supplied by officers of his department, whose circles of superintendence, methods and modes correspond with no local civil divisions or known maps of any kind; while eleven Commissioners of Divisions submit to Government eleven separate education reports, which have seemed to the Lieutenant-Governor to be generally more intelligent and interesting than most other reports, principally it may be presumed because the civil officers having no official facts and figures for a routine report, are obliged to enact the part of intelligent observers.

"Various other departments, great and small, submit reports, almost countless in number, and the eleven Commissioners sum up the year by eleven administration reports, which used to set forth, in a stereotyped order, a sort of *omnium gatherum* of every subject not separately reported by them, in which such subjects as 'The Weather,' 'Archæology,' 'Examination of Securities of Ministerial Officers,' and so on, were oddly strung together. The result has been, that while many of the reports were for the most part written in a routine manner by a clerk, it was totally impossible that the Government could properly review them all. Resolutions upon them were sometimes necessarily concocted much in the same way in which the reports were written; and so it sometimes happened that solemn reports and solemn resolutions, in which they were reviewed by Government, were really manufactured by officers very inferior to those whose names they bore. The fact is the departments and the business have of late years quite outgrown the system which answered well enough when the business was vastly less.

"As will shortly be explained, the Lieutenant-Governor has been anxious that district officers should not have too many masters, and that the head of the district should control the local departments. The tendency of the changes which he has introduced or is introducing is to make the heads of departments the agents and inspectors on the part of the Government, bound to aid, counsel, and guide local officers each in his own department, without exercising absolute authority over them, and to criticise, collate, and compare local facts for the information of the Government.

"The annual local reports in each department are, it is intended, to be examined, analysed, and digested by the Inspectors-General or other departmental heads, who will bring to notice their prominent features, extract the most salient and useful parts, and present the whole to the Government in a compact and well-digested form. The Government will then be enabled really to review great departments in a systematic manner, and to make known its views on general and particular branches of each subject to all the local officers, so that each may benefit by the experience of the other, and by the comparison of results involved in a general review, instead of each local report being, as hitherto, disposed of piecemeal by remarks which cannot be always very fully weighed, and which are sent to the particular locality only.

"As has been said above, it is the Lieutenant-Governor's wish to render the heads of districts, the Magistrate-Collectors, no longer the drudges of many departments and masters of none,

but in fact the general controlling authority over all departments in each district. On no subject has he formed an opinion more deliberately. The Famine Commission took this view, and all that he has since thought and seen has confirmed Mr. Campbell in the opinion which he then shared. He might almost say that it is his belief that, all over India, the departments are ruining the empire. Everywhere the same complaint is heard—in the Punjaub and the North-Western Provinces, as in Madras and Bombay—that the district officers are not what they were; that their power and their influence have gone from them. There is less of such complaint in Bengal, because there the days when such power and influence existed are so remote as to be almost lost to memory. But in a country where, as has been explained, we have in fact asserted our authority less completely than anywhere else in India, and where the people of the remote interior are in a more native (so to express it) condition, the concentration of authority and the personal rule so consonant to oriental habits and feelings are, in the Lieutenant-Governor's opinion, even more required than elsewhere. Departments are excellent servants, but, as he considers, very bad masters. He has therefore striven to make the Magistrate-Collector of a great Bengal district, generally comprising $1\frac{1}{2}$ to $2\frac{1}{2}$ millions of inhabitants, the real executive chief and administrator of the tract of country committed to him, and supreme over every one and everything, except the proceedings of the courts of justice. As District Magistrate he is also head of the department of criminal justice, which is charged with the summary trial of small cases and the inquiry into greater cases previous to trial at Sessions, although he generally rather distributes and superintends this work than does a large share of it himself.

"Since the first flush of the newness and independence of the police, successive administrations have more and more inclined to restore the authority of the magistrate of the district over it, and to a considerable extent this had been done. But still there was a good deal of the old feeling in the police, which gave rise to a longing for independence and to occasional antagonism; while many magistrates insufficiently exercised the powers which they really possessed, not feeling very sure of their ground. The Lieutenant-Governor has, he hopes, now made very clear the entire subordination of the police to the magistrate for all and every purpose; and by precise instructions and revision of rules in such a way as to leave no opening for doubt, he has, he trusts, both enabled all capable magistrates to exercise to the full the powers entrusted to them, without

hesitation or misgiving, and induced the police officers to feel that their position is in no degree equivocal, and that the situation must be accepted. He hopes good police officers themselves are rapidly becoming convinced that under these arrangements their position as an integral and trusted part of the local administration is really much better than when they held a position which involved jealousy and distrust of their actions.

"The ordinary district jails, while placed in immediate charge of an officer selected for the duty, are also now under the general control of the magistrate, instead of being as heretofore purely departmental establishments.

"In a large number of districts a similar arrangement has also already been effected in regard to the Department of Public Works. Hitherto in every district there have been two establishments charged with works—one to carry out the works paid for from imperial or provincial funds, the other to do the works of local funds. The civil officers have constantly asserted that the work of the officers of the Department of Public Works is unreasonably costly and extravagant, while their buildings not unfrequently tumble down, and the Public Works officers aver that if the magistrates' work is cheap, their bridges, etc., *always* tumble down. Where the work is done by one department and used by another, there have been frequent, it may almost be said constant complaints, and sometimes some antagonism. Jail officers say that their jails are built in ways for which they are not responsible; that bad materials are used to repair roofs by Public Works contractors who pilfer shamefully before their eyes, and so on in many cases. It is hoped to remedy all this by uniting all local works under one district engineer, subject to the control of the magistrate. In the direction of the work that he is to do, the order of doing it and the cost, he will be entirely subject to the magistrate's orders, while the quality and professional skill and excellence of the works will be subject to the professional inspection of the superintending engineer. In future a magistrate cannot complain that a work is undertaken or carried on in a manner unsuitable to the purpose for which it was intended, or that the rates paid for labour and materials far exceed the market rate, since he has the remedy for all this in his own hands; while the engineers cannot decry the local bridges, since they will be themselves responsible for them.

"As this report is written a similar arrangement long in contemplation is being carried into effect in the department of education under resolutions lately published, but that subject will not be here entered upon.

"The medical duties and also the collection and observation of vital statistics, and the local meteorological observations, are carried on by the Civil Surgeon under the control and supervision of the magistrate.

"It is sometimes said that this unification of all local control must give to the Magistrate-Collectors an excess of work, and a quantity of detail which is too much for them and must break them down. The Lieutenant-Governor cannot see that this should be so, if the work is arranged with reasonable method, so as to place detail where detail should be and control where control should be. The Magistrate-Collector has not only the more distant parts of his district parcelled out into sub-divisions under officers with large powers who will relieve him of detail, but he has also at his headquarters an ample staff in every department. Each of the departments above-named is immediately under an officer, who is subject only to the magistrate's general supervision. He has under him at least one magistrate of some experience and standing to whom he can entrust the bulk of the more important criminal work, and he has junior magistrates to try petty cases; so that beyond such inquiries as from their special character or unusual importance demand the attention of the head of the district, he has really little judicial work and no judicial drudgery. One or other of several European and native assistants is generally in charge of the treasury, of the excise, income-tax, and other revenue departments, and of various subjects connected with the land revenue. A man of sufficient intelligence and energy and of sufficient method (this last is indispensable) may, the Lieutenant-Governor considers, very well do the work of superintendence over all without undue strain.

"With reference to what has just been said of method in these things, it may be observed however that the Lieutenant-Governor has sometimes feared that some of the heads of districts do not seem to have the method of distributing work properly; so that while they cry out that they are over-burdened, they do not employ their assistants as they might. The habit of very late hours of opening office which has grown up, at the same time that early rising is universal, leaves very long mornings in which much executive work might be done; yet the Lieutenant-Governor has met of a morning capable and experienced assistants engaged in no better occupation than exercising puppy dogs and similar unintellectual pursuits, who say that they do nothing more because nothing more is given to them to do. And he believes that many native officers during the long morning hours do not even cultivate such active and health-

giving, if unintellectual, habits as the above. He trusts that district officers will adequately employ their assistants, deputies, and superior police officers.

"It is a necessary part of the system above described that the districts must be well arranged, and the various jurisdictions and departmental divisions conterminous. There had been many changes since any general review of district and other boundaries had taken place in Bengal, and many of these were found to have fallen into a very confused state, from districts and jurisdictions overlapping one another in a complicated way. In many places tracts of country were found to belong to one district for revenue and to another for magisterial purposes, sometimes to a third for purposes of civil jurisdiction. Some sub-divisional officers served two masters, their charges being partly in one and partly in another district; and every special department had its own circles and divisions in entire disregard of the recognised civil divisions and of the arrangements of every other department. The educational department in particular had, as has been said, a geography of its own, which set maps at defiance.

"It has been a work of great labour and care to reduce all these varying boundaries to a methodical system, but it is hoped that this has now been to a great extent effected, and that the rest will be completed before long. Every sub-division is now in one district only, and sub-divisions are taken as the units of which districts are composed. All the major differences of magisterial and revenue jurisdictions have been remedied by putting the whole under one district or the other, and it only remains to discover and put an end to minor differences not to be traced in maps, and requiring local inquiry to bring them to light. In a country where we have so little detailed information, the census operations have not unfrequently brought to light villages which had previously escaped notice in one department or another, and neighbouring magistrates have adjusted boundaries as if they were in a newly-discovered country. Several adjustments by transfer of inconveniently situated portions of districts have been effected. In correspondence with the High Court measures are in progress to make the civil jurisdictions also as much as possible conterminous with other departments, the jurisdiction of a Moonsif being made to correspond as far as may be with that of a sub-division, and the judge's boundaries to correspond with district boundaries. The departmental boundaries have been or are being made to correspond with the boundaries of civil districts and sub-divisions; and something has been done to bring about a correspondence between the

circles of the various controlling and inspecting officers, though this last is still not fully arranged. In truth the whole question of the circles of civil superintendence has still to be considered, and will be much affected by the census results now coming in.

"A most necessary and essential part of the system above described is, that the Magistrate-Collectors of districts should be sufficiently paid. This is an absolute necessity, both in order to secure fit men for so important duties, and to obviate the necessity of constant change through the promotion to judicial appointments, which is inevitable when the salary of a Magistrate-Collector is so far below that of a judge as is now the case in Bengal. The present rate of salaries of Bengal Magistrate-Collectors is a mere accidental anachronism, having been fixed for Collectors at a time when these officers were not magistrates and had very light duties, and having since descended upon a class of officers totally different from those for whom the pay was fitted.

"The following extracts from a letter addressed to the Government of India will show the Lieutenant-Governor's views on this subject:—

"'The Lieutenant-Governor has several times alluded to a scheme of redistribution by which the length of the official chain may be reduced by the elimination of one or two of the links, the executive machinery may be strengthened, the judiciary may be improved, and some check may be put on the continual transfer of officers by which an efficient knowledge of their charges has been rendered almost impossible.

"'Of all the changes which have been suggested and considered, the most pressing and necessary is, in the Lieutenant-Governor's opinion, some arrangement by which the position and emoluments of the Magistrate-Collectors of great districts may be improved. It has been most prominently stated by the greatest authorities, and is on all hands admitted, that on the officers in charge of districts the efficiency and popularity of our administration mainly rest. It has been the Lieutenant-Governor's constant object to render them more prominent in their charges than hitherto, to place the best men in charge of the most important districts, and to concentrate administrative authority in their hands rather than allow power and efficiency to be frittered away between different departments.

"'It may safely be said that the powers, the responsibilities, and the labours of our district officers, have been of late very greatly increased, while the Lieutenant-Governor has not yet been in a position to increase their emoluments.

"'Under the operations of several causes, most of which it

seems impossible to remedy, anything like permanence in our district charges had become almost unknown. Officers who had been two years in charge of a district formed the rarest exceptions; and instances were frequent, or indeed usual, in which, in the course of two or three years, there had been several changes. It has only been possible, by the means at the Lieutenant-Governor's disposal, in a small degree to mitigate this evil. From the effects of the new leave rules and other causes the Lieutenant-Governor has no hope of a remedy of any efficacy without the adoption of an arrangement by which the Magistrate-Collectors shall no longer be necessarily promoted to the office of District Judge as soon as their services and seniority entitle them to such promotion.

"'There are not above half a dozen Magistrate-Collectors in these provinces who are permanent incumbents drawing the full pay of the appointments which they hold, and most of these are either holding on in expectation of judgeships, to which their standing gives them claim, or have been promoted out of their turn by the present Lieutenant-Governor on account of the importance of their charges. All the other officers holding the post of Magistrate-Collector are acting men drawing less than the full pay.

"'It frequently happens that some of them, though of considerable standing in the service, are, as respects permanent appointments, only assistants, and their whole allowance as Officiating Magistrate-Collector is Rs. 1166 per mensem, or Rs. 14,000 per annum.

"'The Lieutenant-Governor was much struck last autumn to find that the Officiating Magistrate-Collector of a very large district of the first importance and great difficulty, besides being very unhealthy, even though this officer had been longer in charge than almost any other district officer in these provinces, was not receiving more than the paid manager of a tea estate in a healthy and pleasant climate in the Darjeeling hills.

"'The Lieutenant-Governor feels certain that the Government of India will admit that, if we are to expect the Bengal district officers to occupy a position at all corresponding to that of district officers in other parts of India, it is a most crying and pressing necessity that their allowances should be raised. Their charges are certainly in no degree inferior to those of district officers in any other province: on the contrary, most of the districts are superior and more important in every way. The Lieutenant-Governor understands that the new census will show that the district of Tirhoot contains four millions of inhabitants.

Mile for mile and man for man, the district and its inhabitants are probably not inferior in productiveness and importance to any district in India. It certainly contains a larger and more important body of European settlers than any other district, with greater investments and more complicated interests. It is, the Lieutenant-Governor ventures to say, preposterous that it should not be in his power to put in charge of such a district an officer paid anything like so high as the officers in charge of the most ordinary district in Madras or Bombay or the North-Western Provinces, and that it should not be possible to prevent the promotion of the magistrate and collector of such a district to the most ordinary judgeship.

"'General rearrangements required much consideration, and it has been found necessary further to delay any matured scheme of reconstruction till we have the results of the census, the compilation of which cannot be completed for several months.

"'In regard to that particular part of his plan which contemplates the improvement of the position of the best Magistrate-Collectors, the Lieutenant-Governor is extremely unwilling to incur such great delay. He feels that any little good which he may be able to effect in the high position in which he has been placed entirely depends on the efficient aid of the district officers: he feels that he is placing great burdens upon them, and exacting great efforts, which they are making with exemplary zeal and patience: he thinks that they deserve and should have salaries in some degree commensurate to their duties. He cannot keep them to do very hard and very responsible work on very inferior pay when they are entitled to promotion to judgeships; and he is quite sure that he cannot effect much if his good and experienced district officers must be promoted to judgeships as soon as their standing gives them a claim to that grade.

"'The Lieutenant-Governor is therefore very anxious that, if the Government of India approve generally of his design to raise the position of some at least of the Magistrate-Collectors, he may be permitted to make at once a small beginning by taking advantage of a convenient opportunity which has now occurred; and he submits the following proposition in the belief that if it is sanctioned, an instalment of justice to one or two officers will give hope and encouragement to the others, and induce them to hold on cheerfully in their labour till a more general scheme is considered and sanctioned.

"'It so happens that a vacancy has occurred in the smallest and lightest judgeship in the smallest district of Bengal, that of Beerbhoom.

"'The Lieutenant-Governor would now wish to appoint an additional Judge for Beerbhoom on the pay of a first-class Magistrate and Collector, or Rs. 23,000 per annum, and to use the saving, or Rs. 7000 per annum, to raise the pay of two first-class Magistrate-Collectors to Rs. 26,500, or something less than that of a Magistrate-Collector in the North-Western Provinces. He earnestly trusts that the Governor-General in Council will permit him to carry out this arrangement at once in anticipation of the approval of the Secretary of State, the increase of pay being given conditionally on that approval.'

"The Government of India has been pleased to give a provisional assent to the arrangement proposed in the last paragraph of these extracts, and it has been carried into effect.

"In submitting the above proposals, allusion was made to the possible absorption of some of the smaller districts, and this will explain what may seem an apparent anomaly, viz. that in the changes resulting from the assimilation and adjustment of boundaries large districts have been in some cases made larger, and small districts smaller still, so as, as it were, to exaggerate to some degree existing inequalities. In truth the Lieutenant-Governor did and, if needs must be in order to find the necessary funds, does contemplate the reduction, either to sub-divisions of a superior class, or to an inferior grade of districts, of some of those smaller districts which were in fact carved out of the older districts, first as a kind of rudimentary sub-divisions under joint-magistrates, and eventually were turned into districts, though smaller than full districts and in some cases confined to criminal work only in the whole or part of the assigned tracts. Such districts have generally been now so arranged that they contain no sub-divisions but one jurisdiction only, and may thus be conveniently dealt with one way or other. It is understood that Her Majesty's Government has approved of the arrangements experimently made in regard to Beerbhoom, and the Lieutenant-Governor hopes soon to submit a revised scheme of civil administration, which shall include the due payment of Magistrate-Collectors and will put those officers in a position parallel to that of District Judges, instead of being greatly inferior in pay as at present. Looking, however, to the vastness of the populations shown by the census, the Lieutenant-Governor hopes that the means of paying the Magistrate-Collectors may be conceded without so much reduction in the numbers of those officers as he might have been prepared to propose before the greatness of their charges was known.

"After all, however, no distribution of the superior machinery

of Government will be effectual unless we have sufficient inferior instruments. It has been before noticed how entirely destitute are the Bengal sub-divisional officers of the subordinate establishments which exist all over India; and seeing how large are their charges, containing 3, 4 or 500,000 people, and sometimes nearer a million, it is quite impossible that they can be useful executive assistants to the magistrate of the district or effective local officers without some aid. In order to supply this want the Lieutenant-Governor, finding that the local finances were so prosperous that, after fully providing for the wants of the financial year 1872-73 on the previous subsisting scale, he was able to apply considerable sums to further improvements, set aside a sum for the purpose of providing local executive establishments in subordination to the sub-divisional officers. It was hoped that by giving to the sub-divisional officer an assistant and other subordinates, he might become with their aid a real representative of the Magistrate-Collector in most departments, and do many things hitherto done by occasional establishments or not done at all. It was at the same time proposed to make use of the new places so created for the employment of the young men who pass for the native civil service under recent arrangements, the appointments being so graded that a well-educated young man commencing in a position suitable to his years, might have the opportunity of rising to the higher grades by efficient service. As these arrangements involved the creation of what might be considered a new class of appointments, and there was doubt whether under the new financial rules they did not require the sanction of the Government of India, and perhaps of the Secretary of State, the project was reported for approval in March last. It appears that there was an unexpected delay of some months in the offices of the Government of India, and the proposal did not reach the present head of the Government till very recently. The Government of India then gave a provisional sanction to a part of the scheme, but required some additional information before sending it to England. It is hoped that the delay will be the less inconvenient, because the last examinees having been exhausted, it may be well to keep many of the places for the examinees of February next, when the next examination for the native civil service will take place.

"The following extracts from a resolution on the subject, dated 20th March 1872, will explain the Lieutenant-Governor's views and intentions in this matter:—

"'The Lieutenant-Governor has himself observed, and he has learned from experienced Commissioners and others, that

Bengal district officers are at a very great disadvantage, compared with similar officers elsewhere, from the absence of any local executive establishments corresponding to the talookdaree, tehsildaree, or mamlutdaree officials of other parts of India. Improvements in law and system have made it less possible, and perhaps less desirable, to employ the police in ordinary matters of district administration, and the Bengal magistrate deprived of an executive police has no executive instruments at all.

"'The establishment of sub-divisional officers, and their multiplication during the last fifteen years, has done a good deal towards effective control; but the great addition has been to judicial rather than to administrative strength, the sub-divisional officers having no executive establishments. The transfer of rent-suits to the civil courts, though it has given sub-divisional officers more time for administrative work, has at the same time deprived them of an important source of information regarding rural affairs, and has involved a decrease in the number of the Subordinate Executive Service. The sub-divisional officers of the more populous districts are still burdened with much judicial work, to which have been added treasury work and much office detail, so that they are not free to move about their sub-divisions; to acquaint themselves with the country and the people; to superintend the details of settlements and Government estates; to watch the working of municipalities; to investigate cases on the spot; to direct the road cess assessment; to attend to local works; and generally to carry on that active supervision and administration which the Lieutenant-Governor desires to see carried out. A tehsildar, who is in fact the sub-divisional officer of other parts of India on a smaller scale than in Bengal sub-divisions, has under his orders a naib, who is well paid and is available for all executive duties, and in some parts of India for petty judicial duties also. He has a canoongo, who is the link between the Government collectorate agency and the village proprietors and accountants; he has a departmental clerk (mohurir) for excise work, for local fund work, for educational and other business; and lastly, he has several inferior officers (chuprasees), whose business it is to carry out orders in the various departments. Aided by this staff, the tehsildar can do whatever the Government requires of him. He is not a mere collector of revenue; he is the agent of the executive Government in all departments. He sees to the assessment, collection, and proper expenditure of local rates; he looks after the excise; he effects petty settlements; he manages small sequestrated or wards' estates; he takes up land for public purposes, and

arranges under the law for compensation; and he carries out all local works and repairs which do not require special engineering skill; he arranges supplies and carriage for the passage of troops; he obtains and furnishes the statistics which it is very important to procure as a help to guide our administration as well as being interesting in themselves. For much of all this business, a special agency has to be entertained and paid in Bengal as occasion may require; often it must be created in each particular case,—a system attended with much loss in point of economy and efficiency. The work could probably be much better done by sub-divisional officers if only they had an executive establishment.

"'The Lieutenant-Governor earnestly desires, then, to give district officers in Bengal some executive establishment of the kind described above. He also feels that the first assessment of the road cess, and the ascertainment of landed tenures which it involves, will for some time to come necessitate much labour, and that the result will not only be useful for the immediate purpose, but beneficial to the country in many ways. He is unwilling to burden the cess too heavily on account of the expenses involved in the first years, and will be glad if he can supply a Government establishment capable of doing the work with moderate assistance.

"'Another very important object which the Lieutenant-Governor hopes to attain by the arrangements about to be detailed is as follows. He has found the greatest difficulty in efficiently filling the present Subordinate Executive Service, because there is no school in which young men may be trained by experience, and in which their abilities may be tested before they are promoted to high office. Fitness for high administrative appointments is not so easily tested by examinations alone as legal capacity; and there is no such school for these appointments as the Bar affords for judicial appointments. Consequently it has been necessary to nominate to deputy-magistracies and such like posts young men who have neither been trained to the work nor sufficiently tested. It seems to the Lieutenant-Governor that a deputy-magistracy is a very high and highly-paid appointment. Looking to the power exercised, and the position and influence of the appointment, and taking the comparative value of money, he thinks that it is an appointment at least corresponding to, and in fact in most cases considerably exceeding, the best County Court Judgeship and Stipendiary Magistracies in England. Men of ripe experience and tried character are glad to accept these latter appointments;

and it does not appear to the Lieutenant-Governor to be desirable that the corresponding appointments in India should be filled by youths fresh from college. In fact, he does not think that efficient officers can be thus secured. Some may turn out well after being trained at the public expense; others are not successful. As a Judge of the High Court, Mr. Campbell formed by no means a high opinion of the judicial qualification of some of the Deputy-Magistrates and Deputy-Collectors, and he is not sure that judicial deficiencies were always compensated by administrative activity and energy. The Lieutenant-Governor has now tried a system of examination, which shall test to some degree both mental and physical fitness, and he has just appointed ten new officers to the Subordinate Executive Service under this system. Still he cannot have, and has not, any complete assurance that they are already well-fitted for the post of Deputy-Magistrate and Deputy-Collector, or that they will eventually turn out to be so. The spread of education in Bengal has now resulted in a great supply of educated young men; the supply is in fact such that the market value of the best young men fresh from college is very far below that of a Deputy-Magistracy. It seems to the Lieutenant-Governor not at all desirable that a few of many candidates should be selected to fill places beyond their experience and their years, while the others are stranded without employment. He thinks it would be far better that a larger number should have the opportunity of entering the public service in a lower capacity, more nearly corresponding to that which the most educated youths of England and other countries are glad to fill, and that they should thence be promoted according to the practical capacity which they may show. It is therefore his wish to take advantage of the creation of appointments inferior to those held by the present gazetted members of the Subordinate Executive Service, in order to open such appointments to the best young men available; and he would make it the ordinary practice in future to promote to higher appointments from among those who have served efficiently in the lower grades. He would, in fact, institute a Native Civil Service on a wider basis than the present Subordinate Executive Service, and would encourage capable native youths to enter it at the beginning. In England a salary of £100 or £120 commands any number of young men of the best education but without previous experience, and the Lieutenant-Governor thinks that in this country such young men might enter on Rs. 25 or 30 per mensem, with the prospect of promotion if they earn it.

"'The Subordinate Executive Service and inferior establishments have not been included in the scheme of the resolution of the Government of India, dated 14th December 1870, by which certain departments, with a proportionate assignment of funds, were made over to the local Governments, and there may be difficulty in so arranging the services that part shall be paid from imperial and part from provincial funds. The Lieutenant-Governor hopes that the Government of India may perhaps consent to make over to this Government the funds assigned for the uncovenanted services, together with the estimated cost of the various special and occasional duties, for which temporary establishments are so often entertained in Bengal; and then he may be able to weld the whole into one Uncovenanted Civil Service. With this view the whole scheme will be submitted to the Government of India. Meantime the Lieutenant-Governor would try to establish an organised service, supplementary to the present Subordinate Executive Service, on the understanding that it will be the feeder of the higher grades of the service. To this end he has, by an economical distribution of the funds at his disposal, succeeded in making available a sum of two lakhs of rupees, which will be set aside in the ensuing budget arrangement for 1872-73 for local establishments, and with this sum he hopes to obtain a large instalment of the objects which he has in view.'

"The Lieutenant-Governor would hope then that in course of time these local establishments may develop into a regular executive service filling very many high offices, that educated young men of good character may enter in the lower grades and work up to Deputy-Collectorships and superior appointments, and that there may thus always be a supply of qualified and trained candidates for the various posts of the Native Executive Service. If the plan succeeds, it will not hereafter be necessary to nominate to Deputy-Collectorships untried men who have had no experience in executive work, and regarding whose fitness little or nothing is known.

"Nothing has more occupied the Lieutenant-Governor's attention than the regulation of the system by which the ranks of the public service are supplied. He always has been, and is, most anxious to employ the natives to the greatest possible extent in the administration of their own country. But so far as European officers must be employed, he has represented that the Civil Service in these provinces has not of late been sufficiently supplied to enable him to employ the men tested by competition standards to so great an extent as he would wish, and as would

seem to be required by the Secretary of State. His Grace's instructions appear to amount to this, that for all superior appointments in which it is desirable to employ European officers, members of the Civil Service should be employed in preference to gentlemen selected in this country at the discretion of the local Governments. So far as the Civil Service is concerned, it has ceased to be a question of European or Native. Of no more than eight young men passed for the Civil Service in Bengal last year, as many as four were natives of this country, and though one of these (an Armenian gentleman, it is believed), was afterwards rejected on physical grounds, out of seven who came out three were Bengalee Hindoos. The general principle, however, laid down by the Secretary of State the Lieutenant-Governor is most ready to carry out; and he has pointed out that there are in fact many well-paid appointments filled by European gentlemen to which civil servants might very well on opportunity be nominated, if a sufficient number of men were available. In calculating the number of civil servants required for Bengal, sufficient regard seems hardly to have been had to the system commenced and pursued by several Lieutenant-Governors, with the full knowledge and, it is believed, approval of the Government of India, of employing some civil servants in charge of sub-divisions. Mr. Campbell entirely approves of this system, and desires to continue it. Many of the Bengal districts are so enormous, both in size, population, and the variety of interests and industries, that a district can hardly be compared with a district in many other parts of Northern India; and it is not an extravagant demand that the Government should be allowed to post a few civil servants at out-stations in some of the most important districts. The existence of great European industries, involving the residence of many European planters and others, in the interior of these provinces, renders the presence of a European officer desirable in some places and necessary in some. And of this the Lieutenant-Governor is quite sure, that employment in sub-divisions is of the greatest possible benefit to the junior civil servants in point of knowledge of the country and people and general administrative aptitude. Many things have of late years tended to diminish in our officers the experience and qualifications of this kind for which they were once remarkable, and nothing is so effectual to restore what is wanting as the intimate contact with the people and with the details of administration involved in the charge of a sub-division, when the sub-divisional officer does his duty as it should be done. As has been said, these officers have hitherto been a good

deal hampered, but it is hoped that they will soon have the means of greatly extending their executive usefulness. About twenty-two civil servants are now employed in the charge of sub-divisions (the present Lieutenant-Governor has not materially increased or diminished the number), and the Lieutenant-Governor considers that provision should be made for maintaining at least this number.

"Again, an important feature in the zemindaree system is the power which was from the first retained, and is now very freely exercised, of taking charge on the part of Government of the estates of proprietors who are disqualified by age, sex, or mental weakness. The management of such estates gives a very great deal of work to our officers, and the Lieutenant-Governor has thought it most desirable to introduce some system in this management, as has been, he believes, lately done in Oude. If great estates are not entrusted to relatives or servants of the disqualified proprietors, and it is found desirable to introduce European management, the Lieutenant-Governor thinks that it would be better in several ways to group them under the charge of civil servants both for the sake of the people on the estates, for economy of labour, and for the peculiarly valuable experience given to those officers, rather than to entrust them, at the discretion of the local or superintending authorities, without much rule or system, to European gentlemen of merit and other qualifications who have not been very successful in their own walks of life, according to the practice which now generally prevails. Government estates, too, have been on similar principles leased out to European gentlemen, whereas the present Lieutenant-Governor thinks it might be in some cases for some reasons better to entrust them to public officers for direct management.

"It has been the Lieutenant-Governor's object, in pursuance of principles already explained, to make the police a part of the general administration of the country, and to render the officers no longer an entirely separate caste and service, but officers of the general administration selected for aptitude for police duties; and he has declared civil servants to be eligible for police posts as well as other servants of the Government.

"In the Education Department an effort has recently been made, in accordance with the long expressed wishes of the Supreme and Home Governments, to extend instruction to the masses of the people, and to recognise and improve the indigenous schools too much neglected by an Educational Department recruited from European scholars only. It has

seemed to the Lieutenant-Governor that men remarkably fitted for such duties as are now required are to be found in the ranks of the Civil Service.

"By way of a commencement and experiment, the Lieutenant-Governor has employed one or two civil servants to take charge of wards' estates, one as a District Superintendent of Police, and one as an Inspector of Education, but it is impossible to extend the practice unless the necessary men are supplied.

"Whether the system of supplying civil officers to certain provinces and districts, called non-regulation, from the officers of the army is to be maintained or not, is a question on which it is unnecessary to enter here, but it must be stated that the number of civil servants employed in those districts cannot be materially increased while the number of the service remains as at present.

"The Civil Service apart, there is further much question in Bengal as to the employment of European officers in various grades of what is called the Uncovenanted Service. The European element in the interior, and other circumstances, lead to a constant demand on the part of the Commissioners of several divisions for European officers to an extent considerably in excess of the limited number of civil servants employed in sub-divisions; and there are a good many uncovenanted European officers in sub-divisions and other charges. It is generally believed that the superior grades of the police require a large proportion of European energy and vigour. The superintending officers maintain that the opium cultivators have a strong belief in a white face, and the Government of India has thought it undesirable to act in contradiction to that view; at any rate much European agency will always be required in the opium and some other departments. The aboriginal tribes are also said much more readily to accept the sway of a European than that of a Bengalee or other native officer. And the native officers of the Uncovenanted Service are averse to going beyond the more settled provinces. Indeed it may be broadly stated that as regards drawbacks of place and climate, the present native officers are much more difficult of distribution than the European officers; they object more to being kept long in disagreeable places, send in medical certificates, and altogether are by no means readily available for remote and unhealthy posts. Thus then it has happened that in spite of the spread of education in Bengal, European officers are still largely employed, and the arrangements to be adopted for the future

involve a very difficult question. It is the Lieutenant-Governor's belief that by opening our ranks to a wider circle of educated and qualified natives, and paying more regard to physical qualities, these difficulties may eventually be to some degree overcome. And he believes that young men of European and East Indian extraction, who have made India their home, may very usefully serve in the Police and Opium Departments and in non-regulation districts. But still he thinks that for a long time to come, if the Civil Service is not largely increased, it will be necessary for some purposes to entertain a good many Europeans in some departments.

"The Lieutenant-Governor has himself been perfectly ready to sacrifice all the patronage which these appointments gave. He has felt himself in a difficult, and he may say painful, position in refusing to avail himself of the opportunity which they would have afforded him of providing for the relations and connections of old and meritorious servants of the Government, — young gentlemen who had come out in the expectation of such things, and who all had testimony to their many admirable qualities, their energy, and their virtues as thorough gentlemen. He has felt it his duty to postpone the claims of these gentlemen to those of candidates who have proved their fitness in an examination open to all of all classes and races, and has required them to qualify by similar tests. He confesses, however, that after some experience he is not sanguine of the result so far as Europeans are concerned. It turns out that most of the young gentlemen with so many good qualities who come to seek appointments in India lack one thing, viz. the talent for competitive examinations. In fact they never would have come out on the chance of an uncovenanted appointment if they had not this single deficiency. Free competition in India will in the end practically exclude Europeans from such posts, and the Lieutenant-Governor is now inclined to think that in so far as we must entertain Europeans for the qualities they possess *as Europeans*, there is nothing for it but to avow that they must be selected by an exercise of what may be called patronage, care being only taken by a well-regulated preliminary examination of a simple character, that well-recommended young gentlemen have not, as has been sometime the case, carried their preference for practical energy to book-learning to the point of ignorance of the three R's. The Lieutenant-Governor would, however, himself prefer such an extension of the Civil Service as would provide for the appointments which must be filled by Europeans.

"Still more important is the question of the selection of candi-

dates for the many appointments in many departments which are occupied by natives; the number of which will be, the Lieutenant-Governor hopes, soon much increased, and of many of which the rank and position will be, he trusts, gradually more and more raised. In respect of most of these appointments, the Lieutenant-Governor thinks patronage decidedly injurious. Greatly as our native officers are improved in many ways by a western education, they have hardly yet advanced so far in ability and efficiency beyond the old-fashioned men of indigenous education as might have been expected. They have hardly as a body the intimate knowledge of the country, unflinching laboriousness, energy, and extreme quickness and aptitude for details for which the old men were remarkable. In some respects the difference may be accounted for, but in the main the Lieutenant-Governor is inclined to attribute the difference partly to want of sufficient experience in the lower grades, and partly to a greater narrowness in the field of selection. The old men who rose to the top in former days, in the provinces in which Mr. Campbell's early experiences chiefly lay, were generally men who had risen by a sort of process of natural selection in virtue of their official acuteness and ability. Under the arrangements heretofore subsisting in Bengal, the appointments to the Subordinate Executive Service are generally or very frequently made by patronage from among educated young men of no official experience, or men are promoted whose experience has been rather that of clerks than of executive and ministerial officers.

"Sir W. Grey at one time tried a system of limited competitive examination, but there has been no general and sustained system of tests by examination or competition. Hence it has happened that men recommended by their friends and relations or others, and perhaps possessed of university degrees, turn out variously,—some well, some indifferently, some badly. That must be the result of every system of selection by patronage when the favoured individuals are put into the higher appointments at once without being previously sifted by service in the lower grade.

"The extracts from the Lieutenant-Governor's resolution on local establishments already given have for the most part explained his scheme for a Native Civil Service, into which competent young men may enter after submitting to sufficient tests. The Lieutenant-Governor has in these arrangements specially kept in view the development of those qualities in which the natives of Bengal have been deficient. He has himself much belief in the qualities of the race which produces the

educated Bengalees; but they must not be carried away by the belief that a certain amount of Western literary and metaphysical book-learning gives them at once all the qualifications of educated Europeans. There are few departments, public or private, in which Bengalees are not here and there found who have added very great energy and activity to their natural acuteness, and who are as efficient as any Europeans. Such instances are at present rare, but they probably may be multiplied, if only young men are encouraged to point their efforts in that direction, instead of settling into the comfortable belief that they already have all that can be wanted. It is therefore in no spirit of unfriendliness to, or disbelief in, the present educated natives, but on the contrary in the hope of leading them to the development of which he believes them capable, that the Lieutenant-Governor has required candidates for the public service to pass certain tests in addition to the literary tests supplied by the University examination; and by opening the door very wide to many competitors, he hopes to obtain a selection of very capable men for high office which will elevate the position of their countrymen.

"The scheme of the examinations may be briefly stated as follows:—Candidates receive permission to present themselves for examination in accordance with certain rules as to previous education, service under Government in other capacities, and so on. By every candidate a certificate of character must be produced, as also a medical certificate of fitness for employ in any portion of Bengal. Candidates for appointments of over Rs. 100 a month must show that they can ride at least 12 miles at a rapid pace; candidates for inferior posts must have similar qualification or be able to walk 12 miles within $3\frac{1}{2}$ hours without difficulty or prostration. Good character, health, and physical energy being thus secured, the first test applied is to ascertain whether candidates educated in the modern fashion possess an adequate knowledge of English, or in the case of other candidates, whether their vernacular education is thorough and good. From the English examination all who have passed a University examination are exempt. Then comes examination in those subjects which are compulsory upon all—(1) vernacular, and (2) the elements of drawing, surveying and engineering. Law, elementary botany and chemistry and gymnastics are optional subjects; but no one failing to pass in law can get an appointment over Rs. 100 a month, and no one failing to pass in botany and chemistry can be appointed to the opium department. The law examination is in all cases of a practical character,

relating to those branches of the law which are necessary to executive officers, and in the case of candidates for opium appointments, is confined to the Acts and rules bearing on that department.

"It is announced that candidates who pass these examinations will have a preference for appointments, but they are not promised appointments,—a power of selection from among the passed candidates is reserved to the Government and the superior local officers.

"Classes for teaching the prescribed subjects have been opened in the principal schools and colleges, and a Civil Service College has been established at Hooghly. The Lieutenant-Governor, on recently visiting that institution, was much pleased with its progress, and was especially struck by the hearty and successful way in which the native students seem to have taken to gymnastics. He believes that at no school in England could more have been done in that way in so short a time. The Lieutenant-Governor more and more believes that if the educated Bengalees, instead of giving way to intellectual vanity, set themselves to rival Europeans in qualities depending on physical and moral tone, they are really capable of very great things.

"It was certainly a matter of surprise to the Lieutenant-Governor to find that a measure which both extended the field of native employment and opened more widely the door to native merit by an entire sacrifice of patronage on his own part, has seemed to be in some sense the most unpopular of all his measures with some of those who profess to represent native public opinion. The reason, however, is he believes not far to seek. An opening wide of the door of employment must be unpopular with the classes who have hitherto had a sort of monopoly of high office; and just as in England competition and selection by merit were very unpopular with the classes who had previously provided for their sons through patronage, the present measure is unpopular with the upper ten thousand of Bengal, whom the organs alluded to chiefly represent."

The much-vexed question of jails is not one on which I have ever arrived at any very satisfactory conclusions. I was not fully satisfied with the state of things in Bengal. The jails were treated as a separate department under a non-judicial Inspector-General, an able and distinguished man, who could report much success from his point of view. But I thought punishment was too much sacrificed to profit and an appearance of reformation which was not very real.

At the same time, the prisoners were far from healthy; the mortality was far too great, in some jails most excessive. The great feature of the system was manufacturing industry. It was claimed that by means of that system the prisoners were to be made partly self-supporting in jail and completely self-supporting when they left jail. But on examination it turned out that the profits, apart from large values set on services rendered by the prisoners to one another, were not at all large. And what I thought very fatal was that a man was too much judged by his conduct in jail and too little by the crimes for which he was sent to jail. The clever rogues, convicted of very heinous crimes, came to the front, were favoured and promoted to places of confidence and power, while the men whose offences involved much less moral turpitude—the villagers who had got into an affray, or the husbands who had beaten aggravating wives—men who could not see the justice of their sentences, and perhaps sulked over it—were hardly treated by the greater criminals promoted into brief authority. There was an extraordinary want of classification of prisoners in regard to crime, and the buildings, if adapted for manufactures, were most deficient in the means for the segregation of different classes of tried and untried prisoners. I did all I could to remedy these evils, spent much money in improving the jail buildings; on a vacancy, I selected an officer of judicial experience for the post of Inspector-General of Jails, and I gave the local magistrates a large voice in the management of local jails. Great changes were made in the system of discipline and management, and I think much improvement was effected. Still, at best, I believe that this punishment question has hardly been solved in any country, still less that of reformation.

The question of jail mortality and sanitation puzzled me still more. I remembered very rough jails where the prisoners were worked in irons in a very rough way, and where the mortality was not at all excessive. But in some of the best and roomiest jails, under a somewhat lax and indulgent discipline, the mortality was excessive. We

tried every method to cure the unhealthiness, with some success, but never arrived at a real understanding of the matter, or at sufficient improvement of the sanitary and mortality returns. To the last that was a sore subject to me.

I will not here go into the question of the civil courts and civil litigation, with which I could not very radically deal, and will only mention one or two matters, in respect of which I sought to abate the uncertainties of litigation. Looking to the great contests and hard swearing regarding the genuineness of documents, and the difficulty of registering them at headquarters of districts, I set up a system of rural registrars, so as to bring facilities for registration within easy reach of the people. I had already done something in this direction in Oude, and in Bengal I carried out the system on a larger scale, and, I hope, permanently rooted it. The old native law-officer, though still in existence, had become almost *functus officio*. I utilised the best of these men and other respectable inhabitants as rural registrars paid by very moderate fees. The institution was carefully nurtured during my incumbency and loyally accepted by my successors, and has been, I believe, an undoubted success.

At the same time there is this other view of the question, that natives, for an immediate advantage, are sometimes too ready to sign almost anything, and so to engage themselves in impossibly hard contracts with little heed for the future. I have always been a strong advocate for an equitable jurisdiction in regard to contracts of this kind. Under a system of strict law untempered by equity, a man who has signed an improvident contract meets fraud by fraud, denies its authenticity, and brings witnesses to prove that he was 100 miles away; and usurers and taskmasters sometimes find it expedient to compromise rather than drive their victims too hard. Mere evidence of authenticity, without regard to antecedent circumstances, might give them the means of pressing more severely. In the Governor-General's Legislative Council, when dealing with

the law of contracts, I strove hard to give the Courts a wide, equitable jurisdiction to go *behind* the contract, but with very partial success. In some special laws, such as that to deal with indebted Deccan ryots, the Legislature afterwards went a long way in that direction. That principally regarded the compulsory sale of land for debt, and there is nothing that I have more strongly held than the justice and expediency of preventing the unrestricted sale of the rights of small proprietors before they have realised the nature and the value of the rights of property, which we confer on them in extension of their former customary and coparcenary rights. I would, if I could have had my way, have long ago established in India a homestead law, such as so generally exists in the United States of America. I do not mean the right to claim a homestead from unoccupied land (which some people suppose to be the homestead law), but the law under which a limited quantity of land on which a man labours, and the instruments of cultivation, cannot be seized and sold for debt. But hitherto English prejudices have been too strong for that.

Another registration for which I gave facilities was the registration of Mahomedan marriages. The Mahomedan marriage law is very like the Scotch law, only more so. Any evidence suffices to establish a contract of marriage, and legitimacy is not only established by subsequent marriage, but is presumed when there is nothing to disprove it. As in Scotland, there is sometimes a good deal of doubt, and I thought the Mahomedans would be glad of an opportunity of registering marriages before officers of their own persuasion. Somehow, however, they did not seem to see it, and I think little has come of my Mahomedan marriage registrars.

In the department of medicine and sanitation I had the utmost anxiety to solve difficult questions rather than confidence in their solution. I have already alluded to the Burdwan fever and our efforts to check it. But I had not and still have not entire faith in so-called sanitary science. I believe that such a science is only in its

inchoate stages, and that we are still groping our way—therefore I was not prepared to adopt very heroic measures attended with great expense and disturbance in regard to village sanitation, etc. I did the best I could, and aided improvements wherever the people were willing to undertake them, promoted as liberally as possible the dispensary system already established, encouraged benevolent natives such as the well-known Ranee Surmoyee of Cossimbazaar and Nawab Abdul Ghunnee of Dacca, who sometimes founded hospitals and such benevolent institutions; and did my utmost to forward medical, and especially surgical, education. I greatly enlarged and recast the hospital for the poorer classes in Calcutta, which has since been known as the Campbell Hospital.

The revenue departments I need hardly deal with here, except that of excise, of which I will say something, as involving large social questions. It has always been a painful feeling to me that excise is the most elastic of all our revenues—that there seems to be greater potentiality of extension there than anywhere. Happily in India drink has generally affected very limited sections of the population;—if it extends more widely the liquor revenue must greatly grow. As long as it does not go faster than our own example makes inevitable, I have never been very keen to deal with the subject. In old native times, and before we had too much civilised the people, the rough restraint imposed by regulated monopolies seemed as good a method as any that could readily be devised. But with the improvement of our machinery, the more modern method of a fixed still-head duty has been gradually introduced. Among our officers there have been two schools, one who were sanguine of the success of the modern method, another who maintain that it leads to evasion and smuggling. The still-head system had been introduced in Bengal by my predecessors, and I found it in very general operation.

But the arguments of those who maintained that it was not a success led to a careful inquiry on the subject. I rather think that inquiry was initiated before I took charge.

At any rate it fell to me to deal with the reports. I thought that those who objected to the existing system had quite failed to make out a case, that the inquiry showed that the still-head system worked sufficiently well in all the populous districts where supervision was possible, and that there was no general desire to change it. I therefore decided to maintain it everywhere except in some of the jungly, outlying tracts, where a civilised system could not be enforced, and where the rude inhabitants were accustomed to a comparatively innocuous rice beer. I did not hear any further complaints, and looked on the matter as quietly settled. I think my immediate successor (Sir R. Temple) maintained the same system. But, when following him, Sir Ashley Eden came to the Government, he thought proper to go back to older and rougher systems. Hence a recent agitation on the subject. In my own time I confined myself to raising the duty as high as seemed possible, especially the duty on the intoxicating drugs which are grown and largely consumed in Bengal, and I was able to report that the result of the policy of my immediate predecessors, continued by myself, was that there had been of late years a decrease of consumption, with a moderate increase in revenue. No doubt, when the system was afterwards altered, there was a very large increase of revenue. I should have said that I very considerably reduced the number of retail shops, proceeding on the high-license principle with due regard to the circumstances of the localities.

In those days the Government of India called on the local governments for a report on the alleged increase of drunkenness. We reported that in Bengal drunkenness was not increasing, except among the higher classes, and that the growth of the habit among them was due to social causes quite independent of the revenue administration, *e.g.* education, freedom from the trammels of religion, the importation of liquors tempting to the palate, and European example.

The sale of opium in India is managed on the same

principle as that of other drugs; but I am satisfied that there it is not so great a danger as alcohol. I caused very careful inquiry to be made in the opium-growing districts, where it would be entirely impossible to prevent the illicit use of opium if the people desired it, and the result was a complete assurance that opium-eating was in no degree a prevalent vice there. An examination of the statistics convinced me that the tendency to opium is very much a matter of race. In all the eastern districts, where there is a large infusion of Indo-Chinese blood, opium is very largely consumed; but with a few exceptions not elsewhere. When opium-growing was free in the Punjaub many of the Sikhs used it to excess, but the reason for that was that their religion prohibits tobacco. My theory is that the temperament of the Aryan races inclines them to alcohol, that of the Turanian races to opium.

There was in my time a desire to extend the opium cultivation to meet the Chinese demand, but I did not encourage that. I would very gladly have substituted an export duty for the monopoly system, but that could not have been done without large rearrangements, which I had not the opportunity of attempting.

On the subject of education, I think that at one time I was unjustly blamed, and at another time much more highly praised, than I deserved. I largely increased the grants for education, but I certainly did make reduction in the too liberal allowances for mere literary education in the colleges and high schools, while I gave increased grants for special and technical schools, and especially for primary instruction. It was a great disappointment to me to find how little disposition there was to take advantage of the excellent instruction and good prospects of employment offered by the College of Engineering. I spared nothing to make that college complete, but the Bengalees seemed infinitely to prefer literature, law, and politics to anything that required some physical as well as mental exertion. At the same time I am bound to say that when I introduced gymnastics, riding, and physical training in the colleges, they

heartily accepted these things, and seemed quite ready to emulate Europeans in that respect. The failure to fill our engineering school rather discouraged me from ambitious attempts in the direction of technical instruction in other branches, but that we have hardly yet attained in this country. I am afraid both here and in India the so-called art schools are too much directed to the fine arts and too little to more practical arts.

I did much to promote modern education among the Mahomedans. I have strongly the feeling that with a literature of their own, it is not surprising that they are less ready to adopt ours than are those who had little literature more recent than the dead Sanscrit, and that it is hard that they should be so much pushed out for want of knowledge of English. I think they acknowledged the honesty of my efforts to assist them, and showed much inclination to avail themselves of the opportunities offered. I have always thought that there is no more delightful language than the Persian, and no better literature; and there is no language more copious than the Arabic. But we could hardly be expected to adopt the foreign languages of previous conquerors, and as English has become the official language, the Mahomedans must try to learn it.

Primary instruction was a much larger subject and more difficult of approach. I shall reserve what I have to say on that subject to a later stage, when my plans were more advanced.

CHAPTER XIII

BENGAL—SECOND PERIOD OF ADMINISTRATION

In the summer of 1872, after I had received and conferred with Lord Northbrook, and after I had gone through an attack of dengue fever, very like the influenza of the present day, I went off for another prolonged yacht tour through the Bengal districts. Later in the season I went through the greater part of Behar, and heard much of the state of affairs there in a country and among a people quite different from Bengal. The system under which indigo was grown there, and the relations between Zemindars, planters, and ryots was then a burning question, which I must notice presently. I also visited the Soane canal works, and took note of what was going on in connection with that undertaking. The cold season of 1872-73 was as usual spent in Calcutta. Besides the very active prosecution of the reforms of my own Government, I had good opportunities of hearing what was going on in other parts of India, and comparing notes with many friends from other parts of India who paid me visits at Belvedere while attending the Governor-General's Council or acting in appointments connected with the government of India—Robert E. Gordon, John Inglis, E. C. Bayley, and others gave me much of the most recent shop from my old districts in the North-Western Provinces and Punjaub. And, notwithstanding the absence of my wife, who did the best for my children's education at Vevey and Dresden, I was able, by the aid of a very excellent staff, to do my share of Calcutta

entertainments. No doubt, socially, Calcutta is a very pleasant place in the cold season. The climate is excellent —cool, but not usually cold enough for fires. The only drawbacks are occasional fogs in the morning—which, however, always disappear early in the forenoon—and the mosquitoes. The latter pest, however, for some reason not explained, was much less severe than in former days when I first knew Calcutta. An occasional case or two of cholera must also perhaps be reckoned among the drawbacks of Calcutta, but that, too, was not so much as formerly. And it may be said that, in compensation for the endemic constancy of the disease, there are no great epidemic outbursts.

The favourite amusement of Calcutta in those days was badminton, the predecessor of lawn tennis, and it was the only relaxation of which I was really very fond.

I spent part of the summer of 1873, *i.e.* the early part before the setting in of the rains, at Darjeeling, and moving about the hill country forming that district. In many respects Darjeeling has advantages over other Himalayan stations. It was not difficult of access, and now that the railway runs right up (a wonderful achievement very quietly carried out, and due to Mr. Prestage, of the Eastern Bengal Railway), it is peculiarly accessible. The view of Kinchan Junga and the other great peaks, 28,000 and 29,000 feet high, is the finest in the world. And the vegetation—the pines, and rhododendrons, and the tree ferns of the gorges are very striking. The varieties of types of mankind, and the meeting of Indian, Chinese, and western manners and arts in the market-place at Darjeeling, are very curious, and are alone worth a visit. I think I may say that Mongolian types and manners are the most prominent. All over our North-Eastern border districts the influence of Chinese sociology prevails. I used solemnly to present the chiefs of our Eastern borders with trays of fat puppies as the most acceptable ceremonial present. Perhaps it was rather Thibetan than Chinese civilisation to be carried in panniers on the back of a woman, sitting in a

basket like a large strawberry pottle, with a piece cut out of the sides for one's legs. I had a very interesting Durbar to receive the Sikkim Rajah, his family, and following. The ladies are very prominent on these occasions—they have no false modesty as in India. I have still a very successful photograph of that Durbar scene, in which, the Rajah being a minor, a robust and comely sister did the honours on his side.

The drawback of Darjeeling is that the rains are still heavier and longer than elsewhere, and fogs are very common after the rains are over. I would never care to stay there after the middle of June.

I much enjoyed a tour through what is called British Bhutan, the Himalayan country taken from Bhutan after the last war. In the dry season that is as pleasant and pretty a country as is to be found in any part of the Himalayas. The people, too, seemed quite pleasant, and the cultivation good. The leaf insects of the eastern districts are astoundingly curious—their resemblance to every form of leaf and twig is marvellous.

The annexed Bhutanese hill territory was not yet opened to tea-planting, a subject of some indignation on the part of enterprising Britishers, but we were afraid of a collision between over-enterprising gentlemen and newly annexed natives. In the proper Darjeeling territory, however, tea-planting was largely and successfully prosecuted, and apart from some abuses in the grant of land over the heads of the natives occupying it, which I will mention in connection with the land-grant question, I was entirely pleased with the condition of the tea industry in those parts. It had this immense advantage over the system prevailing in Assam and Cachar, that it was entirely carried on by free labour. There was no special law enforcing compulsory labour; the Darjeeling tea-coolies were for the most part not even British subjects, but people from the neighbouring Nepal country, who came of their own accord to work by the day as free labourers, and were under no indentures whatever; they were free to come and go, and stayed

because it was made worth their while to stay. A very excellent people are those Eastern Nepal men, though not so good for soldiers as the men from Western Nepal. I spent the rainy season of 1873 in Calcutta, and after the rains went for a few weeks to the high country west of Bengal—to Hazareebagh in a medium climate some 2000 feet above the plains, and thence visited the aboriginal districts of that plateau country which I have, I think, before mentioned. I liked the climate of that country, and especially loved to see something of those pleasant aboriginal peoples, who throve well, and were excellent British subjects under the patriarchal and beneficent rule of the experienced Commissioner, Colonel Dalton.

A very sad episode during that rainy season was the death of poor Bishop Cotton. I had lent him my yacht to make some visitations when I was not using it. It was moored near a high bank at a point near where the flooded Ganges and Berhamputra united in a vast sea of rapid water; but the vessel was well fastened, and there was no apparent danger. It was dusk on a fine evening when the Bishop came from the shore to cross into the vessel by a gangway with a handrail on one side. All was quiet, and he walked on, followed by one or two companions. But it was rather dark; by some accident he stumbled, and without a word or a cry he disappeared in the swiftly-running water. His broad hat remained on the surface, but he was never seen again; his body was never found.

In that year I had received an acknowledgment from Her Majesty's Government that my conduct of affairs was not viewed otherwise than with favour, as I was then made K.C.S.I.

I have continued a personal narrative to this point, that I may be able to deal more particularly with some of the public measures which succeeded or failed at that time —during Lord Northbrook's Viceroyalty—and to them I now recur. Not contemplating a long stay in India, and having already started much, I really was not anxious to embark in many more measures of reform. I rather

desired to nurture and well root those things that I had already planted. And if I were at all inclined to go too far or too fast, I had already received and accepted suggestions of caution in a very friendly correspondence with the Secretary of State, the Duke of Argyll, as well as in letters from my old friend, Lord Halifax—that man of much experience in Indian affairs. There was, therefore, not much need for Lord Northbrook to put on the drag too severely. In truth, it was well that I had not designed to undertake very much more, for I could not have managed so successfully when the support which I had received from the previous Viceroys was changed into distrust. I was able to carry through most of the things I had undertaken, but some things were a good deal checked and hindered owing to Lord Northbrook's attitude, and one very important measure was wholly upset by him, as I shall have occasion to mention. I have no doubt whatever that he acted conscientiously from conscientious motives, but he was certainly an extremely Conservative Whig, in strong contrast to the Radical Tory, Lord Mayo. Some people are born Radicals, and some Conservatives, under whatever party colour they may happen to sail. At this time my position was further weakened by the departure of Sir John Strachey, who had been a great support to me in the Governor-General's Council. I should, however, here, in fairness, acknowledge that in some things which did not come athwart the Viceroy's preconceived notions I had from him quite a handsome support.

I will begin with a brief notice of frontier affairs. After the Lushai war things remained quiet in that quarter, and we hoped that we were making progress towards friendly relations with the tribes. But the constant liability to raids from the border hills over a vast frontier made it impossible to avoid little wars in one quarter and another. North of the Berhamputra we managed to keep at peace with the Bhuteas; but the Dafflas broke out, and we had to undertake a military expedition against them, which ended in our getting reasonable satisfaction. All

along that northern border the natural boundary is very well marked by nature, and we did not attempt to put forward our frontier. But south of the Berhamputra, where the boundary is less defined, and territories more mixed, I avowed the desire gradually and cautiously to establish a sort of political police among the tribes. Raids and massacres committed by Naga tribes, accompanied, I am sorry to say, by the loss of one or two very valuable British officers, led to several little wars in that direction, and to a gradual extension of our explorations and our influence, which were farther pushed by my successors. But my most important undertaking in this direction was the annexation of the Garo hills, the most western portion of the hilly country between Assam on the north and Sylhet and Cachar on the south, and which had till then formed a kind of unknown and savage peninsula, as it were, projected into British territory. Neither Hindoos nor Mahomedans had ever penetrated there, and it was still marked "unexplored" on our maps. But continual raids had led to continual reprisals; on one side and another we had made considerable advances into this territory, and I came to the belief that the pear was ripe, and that we might manage to annex it once for all, not by way of extending our frontier, but by way of getting rid of a savage inclosure within our frontier. After previous experience, I did not like to apply for a regular military force, but I got together all the military police I could, and intimating the possibility of trouble, had some of the regular regiments stationed in Assam moved forward as a reserve to give moral force to our operations, though they were never brought into action. The police battalions were then moved forward under the direction of political officers, who had long dealt with these tribes. The result was more favourable than could be expected, the bubble of mystery surrounding these tribes seemed to burst; the unexplored country, known only to contain wild men and great herds of wild elephants, was opened; the tribes seemed to be taken by surprise, and submitted without any serious fight; our columns met and

perambulated the country from end to end, and I was able to establish the Garo Hills British district. To this day I believe it has never been annexed by any formal announcement; but it was successfully administered by a very skilful officer, Captain Williamson, and has never since given any very serious trouble. One of my last acts before leaving Bengal was to deposit in the new Economic Museum some specimens of the very fine cotton which we found that the Garos cultivated in their hills. It was all part of the policy which I have always advocated, not to extend but to consolidate our dominions.

The administration of our semi-civilised districts was much facilitated by an Act of Parliament recently passed, to counteract that most embarrassing doctrine to which I have before alluded as introduced by Sir B. Peacock and the lawyers, viz. that on new territories becoming part of British India the old despotic power ceases, and they can only be ruled by the laws of British India under the *régime* of lawyers. The new Act enabled the Government of India to declare particular territories exempt from the general laws, and subject only to such regulations for peace and good government as might be made by the local government in its executive capacity. This provision was applied to our frontier districts, and enabled us to administer them in a rough patriarchal way, in accordance with the habits and ideas of various tribes in various degrees of savagery and civilisation, and to keep off both the too aggressive action of European enterprisers and the dangerous interference of lawyers.

Within our more regular territories I steadily persevered in the reform which I have already mentioned. My last annual report indicates the character of the work in which we were then engaged; I believe much progress was made in many directions; new measures were undertaken which have since been carried further by my successors; but I will not go into further detail here.

A new feature in that last report, the example of which has since been followed, was to submit what was

called a "Statistical Summary," that is, an abstract of the descriptive and statistical information regarding our territories available at the moment, and which it was proposed to repeat every fifth year. That work was very ably performed by H. I. S. Cotton, who has since been conspicuous in much similar work.

I have already anticipated the success of the road cess, and the wide changes of system connected with it. But at the time when Lord Northbrook succeeded to the Viceroy those measures were by no means complete. I had introduced the system into certain districts and was proceeding gradually to extend it to all. But before Lord Northbrook had been long in power it was evident that he had become alarmed by the predictions of those who had prophesied all sorts of dangers and evils. He much wished me to undertake that the system should be extended to no more districts till a longer trial had satisfied him of its safety. This, however, I wholly resisted. The opposition had almost died out in face of the passing of the bill, with the full support of the Government of India and the Home Government, and the success which had attended its first application to important districts. I was sure that any signs of doubt and hesitation would lead to a revival of opposition which would make the work much more difficult. I was in my right exercising the powers given me by law, and although the Government of India can always exercise an emergent interference, Lord Northbrook could only do this in a regular way after submitting his views to his Council, and himself taking the risk that he might be disavowed by the Government at home, which had already sanctioned my measures. I therefore insisted that, if the work was to be stopped, it must be done by distinct orders of the Government of India. No such orders were issued. The work went on and attained the complete success which I have already mentioned.

We got money for local roads and proceeded to use it. That there might be no doubt that the tax was imposed for the benefit of the localities and not to relieve Government

of burdens hitherto borne, I had roads classified as provincial or district, and local. The former the Government still maintained, not only spending what was before spent, but also contributing to the local funds of the poorer districts. The local funds were expended by local bodies for local roads and canals.

With respect to provincial public works, feeling that of all expenditure this is the most elastic, I was somewhat careful at first, but still I took in hand some important buildings and improvements to some classes of local courthouses which stood in much need of improvements, and made some considerable additions to the provincial roads. The public works establishments were reorganised, and the two great branches of public works—general and irrigation —were much improved by Mr. Leonard and Colonel Haig. I gave much attention to the subject of irrigation, and held out every encouragement to the cultivators to take the water at very moderate rates. But the people of Orissa (where our most important irrigating canals were situated) would not see it, and the amount of land irrigated remained very small in proportion to the greatness of the work. There was a project of the Government of India's public works secretariat for a compulsory assessment for irrigation, the idea being that the people would not see what was for their own benefit, and that they must be made to accept the blessings we prepared for them, whether they liked it or not; but that I would not have, and in Bengal at any rate the proposal was not put into practice.

Some of the old Bengal navigation canals are very useful and pay exceedingly well. We succeeded in getting some navigation in those of Orissa, and the Midnapore canals answered better. But I did not then undertake to complete the inland navigation to Calcutta, preferring to improve the Orissa harbours.

A matter which created some sensation at the time was the closing of Port Canning. A set of speculators who had got great grants of waste lands in the Soonderbuns, and promised mighty things, persuaded the Government to guarantee

a railway to Port Canning, which was, they said, much superior as a port to Calcutta, being on a better river than the Hooghly. Much money was spent by Government to develop the port, but very little by the speculators. No one could be got to use the place, so rather than throw good money after bad, I shut up the place and recalled the land grants, of which the conditions had not been fulfilled.

Although, as I have said, I was liberal enough in respect of public works, still the result of care and the successful out-turn of local finance was that I was able to save a good deal of money, and the Provincial Treasury had a large balance in hand when the famine came and swept it away.

A heavy blow was soon to come in regard to a very important matter which I had much at heart. Believing it to be impossible that we should do justice to all, and considering that the natives, as we found them, were in a sense one of the most self-governing peoples in the world—I have always been anxious to promote local self-government—I cherished the republican village communities of the Punjaub country, and have sought to extend such indigenous institutions everywhere. In Bengal the village communities are very much decayed, but the townships are preserved for some purposes. The people live in recognised village areas corresponding to the Teutonic township—they have still certain village officers, and communal arrangements. And our experience in connection with the census and some other matters convinced me that the materials for more complete local self-government were at hand. We are too apt to want to frame everything on our own models. We have preserved municipal institutions in our large towns, while the Indians have lost them there, but we have lost the village township or commune. And in spite of all that has been said by old administrators of the Indian village—the self-governing unit, surviving all troubles—we have neglected and discouraged that institution. For the most part we have only tried artificially to create municipalities in the larger towns after a European model. We have not

yet attained to parish councils ourselves, but then we have to restore that which has very long been lost; the Indian commune was ready to our hand and has not yet been wholly lost.

In Bengal something had been done to set up larger municipalities, but there was a good deal of confusion in the law and practice. I undertook to consolidate and amend the municipal Acts, and after much consultation and manipulation by very experienced men, a bill was brought into the Bengal Legislative Council. Besides the consolidation and improvement of the existing law, a main object of that bill was to extend the municipal system, under the protection of the law to village areas, to restore and regulate the old communal system. My view and that of those who advised me was that the same rules were not fitted for great cities, considerable towns, and mere villages, and we proposed to class them as first, second, and third class municipalities, the last being another name for restored village communes. The forms and objects of taxation were carefully regulated and limited, while leaving a considerable latitude of choice for local option. And the whole system was of a permissive character, enabling localities gradually to avail themselves of it, but by no means enforcing it on the whole country at once. I have said before that I am not an over-sanguine sanitarian, but the following passage from my report will show one important object to which I hoped that the communities might voluntarily apply the means of self-government offered to them:—

"A successful system of rural communes for Bengal would be an achievement of overwhelming importance. If only to supply one most crying need, viz. wholesome drinking water, some communal system seems very necessary. In former days natural channels flowed less obstructed than they do now; and the official zemindars, responsible for the revenue and the people, and subject to the Government, did in some sort execute the works necessary to save revenue and lives. Nowadays not only have many channels silted up by natural processes, but, with the extension of cultivation and the assertion of

exclusive private rights, channels are obstructed and drainage prevented by artificial means. The modern landholders are content with the largely increased rents which natural unaided progress has given them; the power of the Government and its officers over them exists no longer, and they seldom do what is required for the well-being of the villagers. The cry regarding water supply which comes up from Bengal villages is deep and constant. It is the subject on which the people feel most acutely, and in respect of which they are really ready to help themselves if only some system for their doing so by a common effort could be organised. Some of our most experienced officers think this deficiency of wholesome water an evil which is increasing and threatening to destroy the prosperity of several of our best districts, and echoing the people, they are most urgent for a remedy. Hospital, medical, and jail statistics, show clearly that the death-dealing scourge of Bengal is not fever, nor even cholera, but the forms of bowel diseases which are attributable to impure water. What each villager cannot do for himself to remedy this great evil, a body of villagers working under a communal system would very gladly do. To other hands the present Lieutenant-Governor must resign and commend the great task of organising rural communes."

The Road Cess Act had no doubt been a very contentious measure, the Municipal Bill proved not to be so in any degree. On the contrary, all classes in Bengal, for the most part, seemed to accept its principles; there were no differences of principle whatever in the Legislative Council, the members of all classes worked together to improve and settle the details of the measure. And we thought we had made an exceedingly good job of it when it passed *nemine dissentiente*. We were then much astonished when we learned that the Viceroy had refused his assent, had, in fact, vetoed the bill.

The position of the Viceroy in this respect is peculiar. All his other functions are those of the Governor-General in Council—the Government of India. But his assent to bills is given by the Viceroy individually as representing the Crown, and he is under no obligation to consult any one, except so far as he desires to do so. Generally, it is understood, he consults the legal member of his Council to see

that there are no legal or technical objections to what is done by the provincial councils. Beyond that, it is a very strong measure to upset legislative Acts strictly within the powers of the councils, by a mere exercise of Viceregal prerogative. True, some Bombay Acts had been vetoed, but we rather looked on Bombay as a sort of Nazareth, and the Bombay Government as the naughty child of the Indian family, often breaking out into insubordinacies and extravagancies. It was understood, too, that the Bombay Acts had been, for the most part, vetoed on technical grounds by the advice of the legal member of council. When it came to this that, without any such grounds, a great Bengal Act, carefully elaborated and passed with general consent, was vetoed on its merits or demerits by the fiat of the Viceroy alone, without, so far as we ever learned, any concurrence of his colleagues in the Government of India asked or given, we were indeed taken by surprise.

It turned out that Lord Northbrook's main objections were founded on the doctrine that taxation and representation go together, but he rather inverted the usual order of ideas on that subject. It is generally said in self-governing countries that there should be no taxation without representation. Lord Northbrook's fear was that there can be no representation without taxation. Notwithstanding the permissive character of the bill, he was of opinion that the proposed extension of powers of self-government was "calculated to increase municipal taxation in Bengal, and that such increase was inexpedient and unnecessary at the present time." He also "thought that the time had not come when it was desirable to create the machinery for government of villages proposed in the bill." He further specially objected to some provisions enabling the larger municipalities to aid elementary education, and to give some relief to the very poor in time of exceptional scarcity and distress. In brief, he objected to our reforms, and preferred to let things rest; and he particularly objected to anything that might involve taxation, even taxation imposed by the people themselves for their own benefit. In that matter of taxa-

tion, and in some other things, I think he had too much hearkened not only to expressions of conservative feeling, but still more to outpourings of irresponsible writers in the press, too much given to make out that under our rule the Indians are an ill-used and over-taxed people, and especially to Bengalees, who held such language regarding their own province. Certainly in many things he showed a sort of nervous dread of taxation. I have always thought it clear that, whatever the natives have to complain of, over-taxation at our hands cannot fairly be alleged. And figures incontestably show that both in regard to general and to municipal taxation the Bengalees are more lightly taxed than any other people in India. They have borne heavy and illegal burdens at the hands of the Zemindars, and the experience of the road cess has shown that, while rising intelligence and knowledge enable them to escape some burdens which cannot legally or equitably be put on them, they are really quite willing to bear lighter self-imposed burdens for their own benefit and for objects which they understand. Be this as it may, Lord Northbrook's dread of taxation wrecked our Municipal Bill, and the progress of local government in Bengal, I may almost say in India, was thrown back many years. There was nothing for it but to abandon the hope of doing much in that direction. And I may say that with that hope went also the hope of doing much more in the way of reform in any fresh direction under Lord Northbrook's *régime*.

I had to be content with collecting in a volume the correspondence and proceedings regarding our strangled Local Government Bill, and to leave it as a record for future administrators who might desire to deal with the subject. When, under another rule, local government again came to the front in India, I think there was still the disposition to begin high up and trust to working downwards later, rather than, as I would have it to begin, with the indigenous institutions at the bottom and thence work upwards. But in Bengal my successors, who had loyally co-operated with me at the time of which I have been speak-

ing, did much more than in some other provinces to put into practice the principles which I have advocated—the Bengal Local Government Bill of the present day does provide for village government. Still I think it is not yet fully carried out. Lawyers are everywhere hostile to real local government, and do all they can to upset it.

The burdens borne by the peasantry of the Bengal provinces gave rise to another very important question. I have already alluded to the illegal cesses, over and above the rent, exacted by the Zemindars in direct contravention of the terms of the permanent settlement. So much was to some extent known, but my attention was more specially directed to the matter when I found that, in spite of the inquiries and recommendations of the Famine Commission, the Zemindars of Orissa had been allowed to continue this system to an excessive degree. Though they had still less excuse, they justified themselves by alleging the universal practice of Bengal, and there was so much evidence of abuses of the kind that an inquiry into the whole subject was undertaken through the local officers throughout the country. It was found that in truth these irregular levies were much larger, more numerous, and more universal than had been suspected. Although at the time of the permanent settlement most of these demands were prohibited by law, and those that remained were consolidated with the rent, a fresh crop of them had since grown up with rank luxuriance. Another abuse was the levy of transit and market dues. These were an old native institution, but in early days they had been abolished by law, compensation for the loss being made to the Zemindars, and still paid to them. It turned out, however, that taxes of this kind were still abundantly levied, even by the people who were receiving compensation for their abolition. The principal difficulty in the way of checking these abuses was the very severity of the penalty imposed by law. The regulations provided in explicit terms that if any of the prohibited imposts were levied the estates should be forfeited. But now that such great and complicated interests had grown

up, it would have been difficult in practice to enforce this penalty on account of so general a practice. I was deterred, too, by another consideration, viz. that the Zemindars were entitled by due process of law to enhance rents on proving the conditions necessary to such claims. They had great difficulty in doing so, but the attempt was apt to lead to much litigation and discord. There seemed sometimes to be a sort of tacit understanding that they abstained from pressing processes for enhancement, while they were able to increase their emoluments by the irregular native cesses which I have mentioned. I may add that the susceptibilities of the Duke of Argyll in regard to the position of landlords were somewhat touched by reports of my intentions, and he cautioned me against any undue interference with the rights which had been given by the fundamental laws of the Bengal system. I was able to assure him that no such interference was intended, that, on the contrary, I was inclined to deal moderately and tenderly even with these habitual breaches of the law and encroachments on the rights of others. I think I quite satisfied him, and throughout my tenure of office in Bengal I always received a friendly support from the Duke. I had a good deal of correspondence with him. Though I did not think it expedient to enter on an active crusade against the illegal exactions of the Bengal Zemindars, I strongly felt that in the peculiar circumstances of Orissa these abuses should be checked there, and provision should be made to revive and restore the record of the rights of the ryots to whom Government had promised its protection. Also, I thought that throughout the country generally something should be done to prevent any improper interference with trade. For the rest I was content with a certain publicity which our inquiries had occasioned, and was willing for the present at any rate to leave it to the people to protect themselves by the law if they wished to do so. Even for so much as I wished to do, some legislation was necessary under our ultra-legal system. That would not be a great difficulty when the Provincial Legislative Councils are free to act.

But they have been much tied down, and I could not hope to do much without the support of the Viceroy under the circumstances. I found that Lord Northbrook was very much indisposed to any interference between landlord and tenant, and that any action on my part might bring into prominence a divergence of views.

Meanwhile, however, in several districts burning questions between Zemindar and ryot had been coming to a head. The obligation to declare his rents thrown on the Zemindars by the Road Cess Act made them anxious to put in force any enhancements which they could claim, and to recoup themselves for illegal cesses which, after they had put their rents on record, they might be unable to obtain. They were unwilling to wait for the process of notice before the expiration of the agricultural year, or to submit to the delays which the law required; they pressed the ryots for agreements and acknowledgments, which the ryots were unwilling to give. Then they selected prominent ryots, whom they sought to crush by way of example by a ruinous litigation. It was under those circumstances that the ryots of Eastern Bengal adopted the tactics which at a later period came to be known in another country as the "plan of campaign." The principle of that plan, as I have understood and attempted to justify it in the House of Commons, was no more than this—that the tenants combined to say: "We will not allow you to make an example of some among us and crush us in detail by suits against particular individuals and ruinous appeal on appeal. The questions in dispute are common to us all; we will stand together and fight together; we won't pay rents till you settle with us what we are bound to pay. If you choose to litigate a test case we will combine our resources to fight that case, and all your rents must wait the issue. But if you will accept meantime the rent which we have hitherto paid, we will pay that at once. And then you can proceed by due notice and regular legal process to enhance our rents for the future if you think that you can do so."

There is no law of conspiracy in Bengal corresponding

to the old English law on that subject; and when troubles arose in connection with these disputes I was advised, I believe, that peaceable combination in the sense I have explained was perfectly legal, so long as there was no violence, intimidation, or other breach of the ordinary law. Neither in India nor in Ireland have I ever sought to justify abuses of riots, leagues, or plans of campaign, intimidation, or even combination to withhold fair rents duly settled by legal process; but on the principle of the bundle of sticks, I do think that small men are justified in combining to obtain a settlement of unsettled questions in their dealings with a big man. In India, I think that the proclamation which I issued, when such questions threatened serious disturbance in Bengal, was never called in question as a true exposition of the law. It was as follows:—

"Whereas in the district of Pubna, owing to attempts of zemindars to enhance rents and combinations of ryots to resist the same, large bodies of men have assembled at several places in a riotous and tumultuous manner, and serious breaches of the peace have occurred—THIS is very gravely to warn all concerned that, while on the one hand the Government will protect the people from all force and extortion, and the zemindars must assert any claims they may have by legal means only, on the other hand the Government will firmly repress all violent and illegal action on the part of the ryots, and will strictly bring to justice all who offend against the law, to whatever class they belong.

"The ryots and others who have assembled are hereby required to disperse, and to prefer peaceably and quietly any grievances they may have. If they so come forward, they will be patiently listened to: but the officers of Government cannot listen to rioters; on the contrary, they will take severe measures against them.

"It is asserted by the people who have combined to resist the demands of the zemindars that they are to be the ryots of Her Majesty the Queen, and of Her only. These people, and all who listen to them, are warned that the Government cannot and will not interfere with the rights of property as secured by law; that they must pay what is legally due from them to those to whom it is legally due. It is perfectly lawful to unite

in a peaceable manner to resist any excessive demands of the zemindars, but it is not lawful to unite to use violence and intimidation."

In the detailed accounts, given in my annual reports, of these disturbances may be noted many curious resemblances to later transactions in another part of the world. My own view was that we could hardly interfere very much without a revision and resettlement of the whole law of landlord and tenant in the Bengal Provinces, and that, in the circumstances in which I was placed, the time was not come to attempt such a revision, or, at any rate, that the moment was not opportune. I was therefore content to adopt only the palliatives which were possible, and to let the law take its course. That policy was, I think, tolerably successful in Bengal proper; the ryots there were able to hold their own under the existing law pretty well, till a good many years later the agrarian laws were amended, consolidated, and settled under one of the best of the officers who was working under me in 1873, and who was Sir Rivers Thompson, Lieutenant-Governor of Bengal, when the new law was elaborated and passed. To his sober sense and honest courage is due the settlement of these very thorny questions. For myself, I may say that, while I think I was right in the course I pursued, so far as regards Bengal, I only have it on my conscience that I failed to give all the protection that was required in Behar. There a large proportion of the ryots were low-caste Hindoos, without the independence and power of combination of the Mahomedan ryots of Bengal, and many of the Zemindars were of a more actively powerful class. In Bengal the battle for freedom in respect of indigo cultivation had been fought and won some years before; in Behar the ryots were still under a sort of thraldom to the combined power of Zemindars and indigo-planters—that is to say, many of the Zemindars (and even Government officers representing minors, etc.) found their largest profit in leasing their villages to indigo-planters, who then, by virtue of the land-

lord power delegated to them, made the ryots grow indigo, whether they liked it or not. The indigo rebellion of Bengal, by which the ryots had emancipated themselves and established a free trade *régime*, had not extended to Behar; it was not pretended that the system there was at all free trade; it was made a sort of condition of tenure that a proportion of the land of each ryot should be devoted to indigo. True, it was usually the case that, when the tale of indigo was made up, rents were not raised very high. But, on the other hand, a great injustice was in practice inflicted on the ryots, because, the indigo requiring a frequent rotation and change of soil, it was much the habit to change about the fields occupied by each ryot, and so they lost that right to fixity of tenure under the twelve years' possession rule which the law of 1859 gave, and became mere tenants at will, entirely at the mercy of their superiors. I have, as I have said, somewhat on my conscience that, pressed by many affairs, I had not radically dealt with this state of things when the famine troubles of 1873-74 came upon me. The people were in an angry mood about the indigo system; some small disturbances occurred. When I visited the country I was surrounded by clamorous complainants, and it needed but a spark or a word to create a conflagration and bring the whole system to the ground. But, again, there could be no effective settlement without a revision of the law of landlord and tenant, and I am sure that I was right in not attempting that without support from above. Perhaps I should have more actively interfered by administrative measures to protect the people against any compulsion. But great disturbance and confusion would certainly have resulted. When Sir Ashley Eden held my place, with all his Bengal prejudices, he was always a zealous friend of the ryots, and inclined to take strong measures to protect them; but when it came to actual action, he too preferred, as I did, to mitigate the evil by conciliatory measures, and to postpone anything more radical till he saw the effect of the more liberal terms which he induced the planters to concede. I

hope it will turn out that the very important change in the new agrarian law, which gives the ryots right of occupancy not only when they have cultivated the same land for twelve years, but also when they have cultivated in the same village without break of tenure (even though the lands have been changed), has had the effect of rendering the ryots more independent, and that the unwholesome compulsory indigo system may come to an end. If there were free trade there would be no need to acquire landlord rights before indigo is grown; it might be grown by free contract. As regards the consolidation and amendment of the land laws of Bengal, I gave another reason for hesitating to attempt such a work which I have not yet mentioned, viz. "the fear that many of the old landmarks of Bengal revenue law, which are of the essence of the permanent settlement, but are now very distasteful to the Zemindars, and are called obsolete, may be lost or mutilated in the process." I said that I much wished to keep the very letter of the provisions of 1793, including the "preamble" to the Regulations, in which the motives and objects are set forth. I could not too strongly assert that almost all the reforms which I had desired to effect were in the direction of returning to the principles of 1793, so admirably set forth in the old Regulations, not of departing from them. And I feared commencing a work which I might not complete and control, especially in the face of influences then prevailing. The permanent fixing of the land revenue is a measure past and gone; but all the provisions of the old Regulations for the protection of the inferior holders and regarding the tenure of land are very much nearer to the provisions of the Irish Land Act of 1881 than any intermediate legislation. In 1873 we were still a long way from the stage of opinion in which the Act of 1881 was possible, and as things stood I clung to the old Regulations, and did not wish to risk their transformation. Some of them had been already swept away by Acts repealing obsolete laws, passed with a light heart at Simla without much examination, but the most important still remained. I hoped that some of

these provisions, such as those for official accountants and records and the like, which had fallen into desuetude, might yet be revived. And though I dared not hope to undertake the immense work of a regular survey settlement and record of rights for Bengal and Behar, such as we have in all other provinces of India, I looked to the day when such a work might be carried out, and some day it must, and looked to the old Regulations to help me over difficulties.

A department of land management in which I made important changes, affecting some of the subjects I have mentioned, was that of the management of Wards' estates. When the Zemindaree system was established in 1793, and Zemindarees became properties subject to the laws of inheritance, it was foreseen that the legitimate inheritance must sometimes fall to minors, women, idiots, and other persons incapable of performing the functions assigned to Zemindars. And it was provided that in such cases the district officer might, and where necessary should, take charge. To fulfil these functions there was in each district an establishment called the "Court of Wards," and a number of estates were always under direct Government management, in accordance with this provision.

I thought that the system of management prevailing was faulty in two respects. First, it had come to be considered that the Government was merely a trustee on the part of the minor or other owner, bound to consider his interests exclusively, and especially to raise for him as much revenue as the law in every way permitted, and to save as much as possible for his benefit; and secondly, a very large proportion of these estates were put under European management. Estimable gentlemen, planters and others, who had not been very fortunate in the management of their own affairs and wanted employment, were put in charge of estates. And they in turn very frequently adopted the mode of management to which I have already alluded, viz. leasing the village to indigo-planters willing to give a high price, calculated not only on the rents but also on the power to obtain indigo. The habit of judging the

management of Wards' estates by financial results only led to many evils. It was, I think, Lord Elgin who, when an officer explained to him that by successful management of a great estate he was able to hand over to the young Zemindar on his coming of age something like half a million of money, roughly observed, "Well, if that doesn't ruin him I don't know what will." But, apart from that practical view, I hardly thought it desirable that Government officers should carry too far measures in the way of getting rid of family followers, resuming lands held rent free, enhancing the rents of men of privileged classes and such like, from which the Zemindars themselves would have been restrained by social influences. I entirely disapproved of the easy system of management by farming the estates in blocks to middlemen. Broadly, I insisted that when the Government took upon itself the management of these estates they did so, not as mere agents of the proprietor, but in the general interest of all concerned, and that the Government officers were bound not to study exclusively the profit of the proprietor, but to manage the estate as a good and liberal landlord might be expected to manage, so as to make it as far as possible an example to others, so far at least as the pecuniary circumstances of the family rendered possible. While admitting the advantage of European management, in many cases I wished much to avoid any suspicion that such appointments at all savoured of patronage. And I most strongly objected to the practice of farming out to European planters as both bad in itself (in view of the compulsory indigo system), and calculated to engender a not unreasonable suggestion of favouritism and class prejudice.

Whatever may be the moral aspect of the cultivation of opium under Government license, and subject to Government supervision, I found that economically there was no fault to be found. There was absolutely no compulsion, the cultivation was purely voluntary and very popular, the cultivators a good and skilful class, and the only punishment for any breach of rule was to refuse the

privilege of cultivating for Government. The cultivation of jute, oilseed, and other staples is almost entirely in native hands, and I did no more than collect information and circulate it as an aid to growers and merchants. An official volume was published containing information regarding the jute industry, the cultivation of the plant and preparation of the fibre, and the history of its use. The silkworm trade was a down-going industry, but we did all we could to promote a knowledge of the indigenous "tusser silks."

The European tea industry stands on a different footing from that of indigo. The indigo is grown on lands long cultivated by the natives, and in which strong native rights exist. Tea is almost entirely cultivated on land reclaimed from the waste in hilly and jungly tracts where there was previously little population, and a new industry of that kind has been properly encouraged by the grant of land on easy terms. I did not desire to curtail that privilege to *bonâ-fide* planters, who gave earnest of their good faith by a real though small payment; but I found that there had been as so often happens, a good deal of abuse by speculation. People succeeded in getting permission to pay the waste-land price by deferred instalments, and to take possession in anticipation of survey, with the result that they were able to take up much land for mere purposes of speculation, and in the hope of making a profit by it. Sometimes, too, valuable timber was thus transferred. And more serious was this that, during the rush for tea-land, in a good many instances large tracts were taken by speculators as waste, being so treated only because they had not been brought under regular revenue settlement, though in fact they were partially occupied and cultivated by semi-civilised hill people whose rights were wholly overlooked. It was found necessary to stop sales for a time till the rules could be revised — a measure on which the Government of India insisted. And in the new rules I laid down that no sale should be allowed till the land had been surveyed and examined, that no land should be sold over the heads of natives in effective occupation; and that land bearing

valuable forest or supposed to contain minerals should not be sold without special reference to Government in each case.

In mentioning my course in regard to the forests of the Central Provinces, I have stated the views which also guided me in Bengal. Some attempts at planting had not been very successful, but I desired much to try what could be done by planting teak, indiarubber, and other valuable trees. The question of the supply of labour to the tea districts under the indenture system I will notice separately.

I have always been much in favour of Government efforts for the improvement of agriculture. In India it may be said that the tea industry was almost entirely due to the initiative of the Government. And I did all I could to develop the Cinchona cultivation, then in an experimental stage in the hands of Government. Even in so democratic a country as the United States very much is done by public departments to supply information, to procure new plants and varieties, and to direct private effort. I should have liked to see a more real agricultural department than the Government of India had established in my time. Agriculture was made too much subordinate to the revenue management of the land and a pretext for new secretarial establishments. At the same time no one could have more fully felt than I did how great a mistake it is to depreciate native agriculture, to assume that it is bad because it is different from ours, and to suppose that we can at once teach the natives to till and cultivate in their own soil and climate better than they do themselves. Attempts of this kind have generally ended in conspicuous failure. All my endeavours then were entirely free from ideas of this kind. I approached the subject in a modest spirit, and in the view that we should learn before we can teach, I did not attempt at once to improve practical agriculture, but rather sought the aid of science to throw some light on the subject. We obtained from England two eminent chemical and botanical scientists to deal with the Cinchona alkalies, to analyse soils, to classify plants, and examine their properties. Some experimental farms which

I set up were never meant to teach agriculture to the natives, but only to give an opportunity for scientific experiments. I think one of my successors, Sir Ashley Eden, misconstrued their object, and abolished them with some brusque remarks about the folly of thinking we knew better than the natives, in which I should myself in the main concur, if that had really been my object. But since those days I believe that large advances have been made towards aiding agriculture in India in the way that I desired. I may here say that before I left India I had the satisfaction of establishing and opening an Economic Museum in Calcutta, where we might bring together and compare our own products of various kinds, and the samples which we obtained from elsewhere as possibly worthy of adoption or imitation. There had long been a great Archæological Museum of a very high class, which was maintained by the Government of India, and of which I had known a good deal in connection with the transactions of the Bengal Asiatic Society and my own ethnological inquiries; but a practical museum of economic products was entirely new. I made a beginning of that institution, and I am happy to say that my initiative has been followed up. I see frequent references to the Economic Museum, and hope that it is now a mature institution.

I now turn to the question of emigration and migration. My impression is that the population of India as a whole, great as it is, has not yet passed the means of subsistence in normal times—perhaps we have yet hardly filled all the voids caused by the anarchy of 100 years before our rule. But under the British peace, population is no doubt much increasing, and the day may not be far distant when we may suffer from over-population. Already some parts of the country are almost dangerously crowded. I have therefore always desired to encourage emigration and migration where the conditions are fair. I would gladly have seen many of the tropical possessions of the British Crown populated by the intelligent and industrious natives of India; but our policy has been to let the first comers claim the

control over the lands which they do not occupy—most of the territories which are called British have passed out of our control for all practical purposes; and even tropical lands, such as great part of Australia, are debarred, by white colonists, to coloured Asiatic races. Even in Crown colonies planting interests so much prevail that it is difficult to secure justice to Asiatic immigrants. The "indenture" system is perhaps a necessity when labourers are brought at the expense of the colonists, but I think we are bound to insist—first, that contracts are fulfilled and protection afforded during indenture; and second, that after expiration of the indenture the immigrants shall have all the privileges of free men. Inquiries by Royal Commissions had shown that in Guiana colonial law did not recognise the wage contracts made in India; that in Mauritius the time-expired immigrants had been subjected to most tyrannical regulations; and that other abuses prevailed in these and other colonies. I took precautions to see that the emigration contracts were understood, and that they promised no more than could be fulfilled; in short, to guard against fraud and misrepresentation. Consequent on the reports above alluded to, the colonial laws and practice were amended, and the emigration system has continued; but in proportion to the population of India it is a mere drop in the ocean. Even yet I doubt whether in most colonies the Indians are ever treated as free British subjects, and relieved from all restrictions and disabilities. More recently in Natal, where as free settlers they had been particularly successful, a colonial Act was allowed to pass which the local representatives of the British Government—the Governor and Attorney-General—at the time showed to be designed to deprive the Indians of the franchise which they had acquired by a considerable property qualification. And there is a strong movement all through South Africa to put under restrictions the Indian traders, who by skill and thrift are able to undersell white traders. In India, however despotic the Government may be, a man has personal liberty—in planter-governed colonies it is very apt to be abridged.

More important, perhaps, is migration within India—including broadly in that term Ceylon, Burmah, and the Straits Settlements. Much migration of this kind is quite free, and free migration is certainly beneficial. Sometimes one could wish that there were more of it. I think I mentioned that we failed in our efforts to encourage migration into the sparsely populated districts of the Central Provinces. It is in regard to the supply of labour for the tea plantations that the question of migration has been a burning one. I have mentioned that the Darjeeling tea plantations are worked entirely by free labour, and so it is in some other districts. But in the eastern tea districts, in Assam and Cachar, special labour laws have been found or supposed to be necessary, under which labourers are imported on indenture for a term of compulsory labour, as in the colonies. We have always held that, if this system must be, we are bound very carefully to protect the labourers, who during the term of their indenture are not free agents. Planters sometimes complain of onerous and expensive provisions for the protection of coolies, in forgetfulness of the fact that the whole system is of their own seeking. If they are content to work with free labour under the ordinary law, we should put little restriction upon them; we should only see that they do not go beyond the law, and that reasonable sanitation, etc., is maintained. But when, to secure labour under indenture, special laws are passed to compel the coolies to work out their terms and to give the employers great powers over them, then the correlative of protection for the coolies, in regard to their enlistment, voyage, and period of compulsory labour, is altogether necessary. I found that system established, and I could not at once get rid of it, but I did not like it. It was attended with many evils. The coolies were enlisted by contractors, and paid for at so much per head—a system much tending to abuse. They are contracted over to masters whom they do not know, and are liable to be compelled to work in places of which they have no knowledge. They are also liable to be transferred to new plantations or new masters without their consent being asked or given.

Some of the plantations proved terribly unhealthy, and in a large proportion of the Assam gardens the mortality was very far above a normal rate. The law gave us power to shut up gardens when the mortality went beyond a certain excessive rate; but that was after the steeds were gone. And when we had ascertained the facts by long statistics of mortality, it was a strong measure to stop the cultivation altogether; the case must be extraordinarily bad where excuses were not forthcoming in abundance, and proof that the evil was due to temporary causes only, etc., and outcries that it would be a shame to ruin enterprising men. There were manifold and evident amendments required in the law, and we passed a new labour law, which did not radically alter the system, but introduced a good many improvements. Dealing thus moderately with the matter, I thought at the time that the new law met with general and frank acceptance. I have generally found that my Scotch countrymen (of whom there are so many in all enterprises of this kind), even if they are pretty strong-handed, still are reasonable enough when one talks to them in a frank and open way. And so it seemed to be with the Assam tea-planters. In dealing with the matter I avowed my desire to promote as much as possible a recurrence to free labour. Not only in districts where there was no labour law, but in a good many plantations in districts under that law, the work was done and successfully done, by free labour only. To facilitate that system we introduced into the new law provisions very favourable to the enlistment of labourers by the head-men of their own class, known as garden sirdars; and we relieved parties so enlisted from most of the old restrictions and precautions in the transit to the gardens, provided they were not put under the labour law, and that contracts under the ordinary law did not exceed one year, instead of the three years which the indenture system permitted. Further, in order to facilitate that system, I devoted much care and money to the establishment of a system of roads (to which railways were soon after added) between the populous districts farther west and the tea districts of the east; so as to

enable free labourers to travel direct in their own way, instead of being subject to all the evils and dangers of the roundabout route by Calcutta, with frequent mortality from cholera and other scourges in the central depots and vessels which took them slowly up the river by a tortuous route and against the stream. The new free, or garden-sirdar, system was largely utilised, and I was sanguine that it would gradually supersede the indenture system and the evils attached to it. I had hoped that a practice of shorter contracts would gradually prevail, till at last we should come to free labour.

It was then a very great disappointment to me to find that when a few years later the labour law was again revised other arguments and interests prevailed, and instead of the term of compulsory labour being shortened, it was extended [1] from three years to five. And that is not all, for it seems that another change has been introduced which wholly vitiates and defeats any alternative of free labour entered by garden sirdars. True, in the Bengal territories the coolies are enlisted as free labourers with the freedom allowed by Bengal law to that kind of enlistment. But as soon as they reach "Dhubree," the first place on the border of Assam (now a separate administration), it is the practice to make them sign indentures there at a place where, away from their homes and their friends, they are more helpless than when first enlisted, while at the same time they are just as ignorant of the masters and the gardens to whom they are sent. I cannot but think that this savours much of an evasion of the law and is not right. I have never been able to ascertain exactly by what considerations and influences these changes were justified. India was then under a rule supposed to be favourable to the natives, and the Bengal and Assam administrators were men in whom I should have the greatest confidence. The legislation was (owing to the separation of Assam) that of the Government of India, but I should have thought that it could not have been without the assent of the provincial administrators. I am

[1] A Bill reducing the term of indenture from five to three years was introduced into the Indian Legislature on the 12th January 1893.

certainly not satisfied that the changes which I have mentioned were in the right direction. There appears to be still far too much mortality in many gardens, and, I think, far too much of compulsory labour—I still much desire to see a free system. Under the circumstances I do not for a moment suggest any undue influences in regard to these labour arrangements; I have not had an opportunity of seeing the papers, and the men responsible were the least likely to yield to undue pressure.

But the subject brings to my mind to say that, after having some opportunities of comparing the management of what are called Crown colonies (as explained by Parliamentary papers) with Indian management, I more than ever abhor anything which might tend to make any part of our Indian administration at all to assimilate to what I may call a Colonial character; for in the colonies the interests of the planters, who can make themselves heard in Parliament and can give much trouble to the Colonial Office, have a certain preference more or less, in spite of the honest desire of the Colonial Office to protect the coloured people. The India House was always a buffer between Parliament and the natives of India, and, as regards the Company's own Services, they felt that they lived in a kind of glass-house and must give no pretext for throwing stones. But since the transfer to the Crown, European grievances and claims become more prominent in Parliament. The woes of gentlemen to whom the command of regiments is not entrusted are set forth at much length; subalterns who are not promoted as fast as they would like get up a political agitation; and still more do the European gentlemen not belonging to the regular services who have accepted appointments in India. I do not think that planters have yet made themselves much heard, but they may. Some of the tea districts have no doubt come to be something of the nature of plantation colonies, or may become so; and some of the hill-stations may expand into a sort of settlement in which Europeans and European interests are dominant. So far there might be some ground for treating them in some

degree as a kind of Crown colonies. In many respects it would be an advantage to have some spots in the country which we could call really our own. But then they will never be colonised in any proper sense—the Europeans will never at most be more than directors of native labour. That native labour is drawn from the more native parts of India, and the utmost care must be taken that the freedom of those natives is fully preserved. While the Services were a sort of hereditary Services and very strictly interdicted from any commercial interests, they could be trusted to be very careful of these things. But now when a high officer can no longer count on appointments for his sons, they go into tea, and follow various occupations. The official caste has come to have much more intimate personal relations with the non-official classes. Also the old rules in regard to holding land and commercial enterprises have been much relaxed in approximation to the looser practices of the British colonial services. A man may hold land out of his own sphere of service, and may, I think, hold shares in companies even within that sphere. Civil servants are interested in tea plantations, and military officers in Indian breweries which supply beer to the troops. I think there is some danger in all this.

In connection with the position of Europeans in India, and the agitation which afterwards arose, I may refer to what I said on that subject in reference to what was then called the new Criminal Procedure Code.

The new law subjected the Europeans to all the ordinary tribunals, save that it was still provided that the magistrates who tried them should be Europeans. When a few natives attained to high positions in the Civil Service, it was quite necessary that the jurisdiction should be enlarged to include them. And that was the original proposal which the Home Government approved. Right as it was in principle to abolish all race distinctions, I think it was unfortunate that it was so soon proposed to go that length. Still worse, I think, was the weakness shown when, in deference to agitation, not only was the small original proposal withdrawn, but

a levelling down took place, the magistrates of districts being no longer allowed to try the pettiest European case without a jury. Where there is divergence and some antagonising of races, a jury is the worst possible criminal tribunal. It should be kept as a court of equity for free homogeneous countries.

I have already stated my general views in regard to education, but I reserved an account of the course I took to promote primary education. Proposals on that subject were pending, and it was not till later that I was able to settle what was to be done. I think I have got more credit for my action in this department than I really deserved. With the assistance of C. Bernard I was able to make a good beginning, but very much was wanting to complete an effective system. I had two things very much at heart; first and foremost, to extend a simple education to the masses of the people; and second, to reform the system of education in all grades so as to make it more practical. Former Governors had recognised the want of a larger system of primary instruction, but want of money always stood in the way. The higher education absorbed most of the funds available, and the demand for higher teaching on the part of the more influential classes was so great that it was very difficult to make any radical change in the application of these funds. Another difficulty was that the Government education had been put into the hands of a separate department, under men imported at a mature age from England, and who based their work on English models, about the worst models to be found according to my view, I confess. I think it is now generally acknowledged that the course followed has been far too exclusively literary. The teaching of English was the predominant feature, but when Oriental studies were introduced it was in imitation of the English system—that is to say, the cultivation of classical dead languages of the East, languages most interesting from a philological and archæological point of view, but quite as strange to the natives as Greek is to us.

Not only was the higher education to my thinking per-

verted, but a worse evil was this, that educational gentlemen from England, themselves little familiar with the natives and their vernaculars, were quite unable to comprehend and appreciate the indigenous native education (I never met any one who understood the native arithmetical methods), consequently they ignored and neglected the indigenous schools. When I took charge there was very little primary education in which the Government took any part. Of the Government expenditure on education, barely 7 per cent went to schools which were called primary.

Lord Mayo's Government, deeply feeling this deficiency, and seeing how far Bengal was behind other provinces in this respect, originally contemplated that I should undertake the imposition of a general education cess, as well as a road cess; but I found the difficulties so great that I thought it was better to deal thoroughly with one local tax first, and my proposal to postpone any complete application of the other was approved by the Government of India and the Secretary of State. The Secretary of State, however, upon the whole question, gave me a very wide latitude. His despatch said—"I am desirous of leaving the consideration of the means of providing primary education for the general body of the population to the unfettered discretion of the Lieutenant-Governor of Bengal." On consideration, my plan was, instead of a general road cess, to be content with introducing into the Local Government Bill, then before us, provisions mostly of an optional character, to enable local bodies to help themselves in the matter of education, while the Government would assist those who did so help themselves. In the smaller municipalities—the villages—any contribution to schools was to be absolutely and entirely optional. With respect to the larger municipalities—the large towns—which were exempted from the road cess, we inserted a provision that if there elementary education was not available at a fair cost, the Government might require the municipality to provide it or to contribute towards it. It was, however, our belief that in such towns schools did already exist, and that this provision was rather

calculated to stir up the municipal bodies to some active exertion than likely to be largely used in the way of actual compulsion. In any case we limited the contribution for elementary education to one-sixth of the municipal fund available after providing for the town police.

My intention was that, with the road cess for the rural districts and a certain municipal taxation in the towns not subject to the road cess, we might reach a sort of finality for the time in regard to compulsory local taxation; and that anything beyond that should be, for the present at any rate, entirely voluntary, according to the wishes of each locality. In justification of our plan we showed that the rates in the existing municipalities of Bengal were far lower than those in any other province of India.

It was, as has been said, part of the plan, that the Government should contribute liberally towards the object we sought; we hoped by liberal aid of this kind to draw out local efforts and local contributions. Although I was reforming the higher education, I did not look to that source for funds, but to the economies in our general finances which the provincial system had enabled us to effect. All our plans were, however, overset, when, as has been already mentioned, Lord Northbrook vetoed the Local Government Bill altogether, and in doing so threw back, I believe, for many years the education of the people as well as all local self-government.

We were, however, determined to do the best we could. The attempt to make municipal and communal funds in any shape available for education having failed, there was nothing for it but to fall back on our provincial funds, and to use them as far as we could make them available to improve the indigenous schools with such aid as we could get from private sources. Fortunately, in the management of our provincial finances we had, as we proceeded, effected larger economies and savings than we had at first anticipated, and from that source I formed comparatively large funds to assist elementary education. We undertook a grant-in-aid system to encourage and

develop the village schools which we found to exist. That experiment was successful beyond our expectations. Very soon we were able to give an exceedingly sanguine account of the success attained. Perhaps in the long run a good deal might be found that was not all that could be desired, but very much was certainly gained, and I hope that a foundation was laid on which a good deal has been and a good deal more yet may be built.

We could not expect that a rough measure such as we then attempted should be at all equal to a regular system of education supported by public rates, and I quite admit that our "Gooroo" schools[1] may be fairly open to much of the criticism that has been from time to time directed against them; but they were better than nothing. I doubt whether anywhere in India we have done all that we should do for the education of the masses. The other day I was sorry to hear an experienced authority give a discouraging account of the rareness of education in my old Punjaub country, which I thought not particularly backward, and where some of the women could read and count. In some provinces I believe a good deal has been done, but I fear that Bengal is still much behind a good many other provinces in this respect.

Here is the account given in my last report of the elementary system introduced, and of my matured views on educational subjects :—

"The new system of Primary Education, which was not fully developed in the previous year, has now been started with very great success, as testified by a singular unanimity of opinion. The basis of the new system is a very old one, viz. the indigenous popular education of the country. The wish of the present Lieutenant-Governor was to aid, promote, and improve this indigenous system, and to educate the people through it instead of attempting to supersede it. And it has been found that this can be done at so cheap a rate that funds which would go but a very little way under any other system will suffice for the wide spread of a useful and practical

[1] Indigenous village schools in Bengal were called "gooroo-mahasoy" schools.

instruction. The Indian branch of the Aryan family are a literature-loving people. The Hindoos of old times were undoubtedly an educated race, and education has not altogether lost its hold among them. The village schoolmaster seems to have been a universal institution in former days. That education formerly prevailed more than at present, may be gathered from the fact that there is now more education in the secluded, primitive, and more purely Hindoo parts of the country than in those over which the waves of conquest and so-called modern civilisation have rolled. In isolated Orissa, and in secluded parts of the Himalayas, village schools are very common, and most of the people can read and write. But in the more open and populous plains of Hindoostan (of which Behar is a part) and Bengal, which have been the seat of great empires, education has much retrograded; the old Hindoo schoolmasters have been discouraged, and the people have been reduced to ignorance and subjection. In Behar and other parts of Hindoostan the Persian character and a Persianised or Arabicised language introduced by foreign conquerors has been adopted by the literate classes, and a great gulf has been placed between them and the popular language and literature. In Bengal, the conversion to Mahomedanism of the mass of the agricultural people has further disrupted the old system of education without supplying any other, for the Arabic and Persian literature are beyond the reach of simple cultivators. It has come to pass, then, that all the most populous and productive parts of these provinces are extremely destitute of education; that in some of the most metropolitan districts the ignorance of the common people is most lamentable (the percentage who can read and write being a mere fraction—some $2\frac{1}{2}$ per cent); and that the great Mahomedan population of Bengal is especially without the means of instruction. The ordinary Bengalee Mahomedan is, however, by race, language, and habits a Bengalee pure and simple. These men of the ordinary agricultural ranks have no prejudices against the vulgar tongue or aspirations for something more polite. Their ignorance is only due to this, that no priestly or governing powers have prompted them to vernacular education or provided it for them, while they suffer in common with the Hindoos from the general decadence of the means of instruction. The race of village schoolmasters or gooroos is still not extinct, but hitherto they have had little encouragement. The Bengal Educational Department, founded on a foreign system, has not even condescended to recognise for statistical purposes the village gooroos and their schools. The Educational

Officers had not thought them worthy to be called schools; and in returns professing to give not only Government schools, but also the unaided institutions of the country, the old-fashioned village schools were ignored as non-existent, and the country was made to appear even more destitute of education than it really was.

"Several previous Governments have attempted to extend popular instruction, especially those of Lord Hardinge and Sir J. P. Grant, but these attempts have proved abortive; partly for want of funds, but more from the failure of the Educational Department to recognise as instruction anything that was not on their model. The consequence is that, till the last two years, the number of primary schools shown in the returns was ridiculously small; and of the few so shown as Government primary schools, most were not truly primary, but were in fact Government schools of a higher character.

"The present Lieutenant-Governor by no means depreciates modern knowledge and improved methods, but he does think that it is right that the people should be taught reading, writing, and arithmetic, at the same time that superior instruction is given to the upper classes. He would attribute an even superior importance to the former object, seeing how much it has been neglected. The indigenous schoolmasters can, at any rate, teach the children to read and write in good substantial vernacular characters, and they teach them an arithmetic somewhat different from ours, but of which the inferiority is by no means clear. The so-called Arabic numerals are really Hindoo, not Arabic; the decimal notation is in its own home in India, and many a village lad can count and cipher with a rapidity and accuracy which would put to shame many a skilled European accountant. It appeared then to Sir George Campbell that if we could widely extend this much of education, we should do very well for a beginning, even if the schoolmasters we take under our protection are themselves as yet wholly ignorant of our English system and our new educational methods. The Lieutenant-Governor thought, moreover, that if these men were to some extent subsidised, they might not only be encouraged and their number increased, but they might be tested, directed, and gradually taught the simpler portions of our methods.

"The above, then, is the plan which the present Lieutenant-Governor has adopted. Village communities and individuals are invited to set up schools with Government assistance. The plan is to grant to village schoolmasters who maintain tolerably efficient schools in the native fashion and submit to a certain

amount of inspection and control, a subsidy or grant-in-aid far short of an adequate salary, but which, eked out by fees and customary emoluments, may enable them to live. The grant is usually no more than from 2 to 3 or 4 rupees per month, say on an average 5, 6, or 7 shillings per month, or a capitation allowance amounting to about as much; and at this rate a little money goes a long way. A certain sum has been allotted to each district, which the Magistrates and local Committees distribute to deserving schoolmasters who set up and maintain schools on these principles.

"This scheme has succeeded beyond all expectation. Both the schoolmasters and the people have received it with a sort of enthusiasm. The people in districts which were supposed to be Bœotian in respect of the absence not only of education, but of all desire for education, have suddenly shown an avidity for the instruction offered to them which could not have been anticipated. Decent schoolmasters are forthcoming in sufficient numbers to take up all the grants available, and the full number of schools of which our means admit have been already established in almost every district, or very nearly so. Both our officers and the native public fully admit and appreciate the success of the scheme. The Educational Officers themselves, at first very little inclined to take a hopeful view of the plan, now admit that it has so far succeeded. The few objectors are only those who are wedded to the old system by which a few profited at the expense of the many. Here is a severe view on the opposition side of the question which the Lieutenant-Governor takes to be really the greatest compliment to the new system which could be had. A native newspaper, the *Samaj Darpan* or *Mirror of Society*, says :—

" 'The teachers of the schools established by Bhudeb Baboo (Inspector of Schools) are meeting with disappointment, while those of the Gooroo patshalas are increasing their efforts to teach imperfect pronunciation and instil defective knowledge into the minds of the young, under the patronage of Government. In many places the Gooroos are becoming very troublesome. For fear they should lose the money allowed by Government, they go out and coax lads to come and sit down in their schools without any charge. There is no instruction imparted, while at the same time a stop is put to their looking after their fathers' cows or other agricultural duties. While such is the state of things, it would appear that Mr. Campbell has directed his endeavours towards putting a stop to agriculture.'

"A very satisfactory feature of the new scheme is that the Mahomedans take to it just as kindly as the Hindoos. For instance, we find that of 36,997 pupils in the primary schools of the Rajshahye Division, regarding whom returns have been received, there are 18,380 Mahomedans to 18,613 Hindoos. The higher education of the upper classes of Mahomedans in Bengal is a subject beset with very great difficulties, but there seems to be no special difficulty regarding the education of the Mahomedan masses."

Education brings me to the press, that product of the higher education which we have given. Then, as ever, we were a good deal troubled by abusive and sometimes seditious attacks on the governing powers. It was then the practice to make a précis of the notable sayings of the native press, for the information of Government officers and others; and the offensive tit-bits were then carefully reproduced, and so given a circulation which they would never otherwise have had. We used to think that such things were not unfrequently written in the hope that they would be thus circulated; indeed, I have known the writer to call the attention of the compiler of the précis in so many words in a naïve kind of way. We found it desirable to discontinue the circulation. No doubt the attacks were sometimes very bad and scurrilous, and it was merely a question whether such things should be permitted to go on with impunity. Lord Northbrook consulted me about it. My own opinion always has been that an entirely free press is inconsistent with a despotic form of government, even if it be a paternal despotism. In such circumstances press writers are always inclined to be "agin the government," and there is no opposing press to answer them. No doubt criticism is useful in bringing abuses to light, and press fulminations may be a sort of safety-valve; but a government, whose position largely depends on the sort of moral force due to a belief in its unassailable power, can hardly afford to be constantly held up to the contempt of its subjects.

If we must have a free press, then the Indian Penal

Code may or may not sufficiently provide for the punishment of abuse. But of this I am clear and most strongly hold, that the cure is worse than the disease if a libel on the government, small or great, cannot be punished without a protracted trial, running into a sort of *cause célèbre* and giving the matter all the notoriety that the most ambitious libeller could desire; while the lawyers employed for the defence are allowed the most unbridled license to attack, not only the acts, but also the policy of the government. That license of advocates is again a privilege which is carried to far greater excess under a despotic government which permits it, than under a free government, where there are two sides to a question. In one of the worst cases in my time, which was brought to light by the précis above mentioned, and attracted the attention of the Government of India, we traced the libel to its source, and found that it was the work of two plucked native students, who, failing to qualify for a profession, had set up a small paper. A State prosecution of such a case would have made us ridiculous. It may be somewhat different in the case of more important organs; but a late prosecution seems again to illustrate my view, that the cure is worse than the disease.

My own inclination then always was to bear the ills we were accustomed to rather than fly to others. I am pretty thick-skinned, and had a sort of "it pleases them and don't hurt us" feeling, so I did not enter on press prosecutions. But I feel that the question of the right way of dealing with the press under the present system of government in India is a question that is still unsolved and is not to be treated lightly. Of this only I am confident, that if we deal with it at all, we must deal with it in the largest way—not merely tinkering the Penal Code, but also dealing with the procedure and with the license of professional advocates.

In the latter part of my time in India the shadow of famine was upon us, and I was almost entirely absorbed in that subject. I will, therefore, here complete the account

of my ordinary administration, reserving to the last the measures taken to avert famine.

In the autumn of 1873 I was approaching the limit of the term of service which I had made obligatory on myself. And also in that time I had worked as hard as it was possible for man to work, harder, I think, than any man could work for a continuance. I had, as it were, put on full steam, timing myself to go so far, and not keeping any reserve of fuel to enable me to go farther. Still, I had not experienced any immediate ill-effects of a serious kind—perhaps by easing off a little I might have gone on—and I think that, if the times had been propitious for my reforms, and I had seen reason to think that I could go on with advantage, I should have stayed. In truth, however, it was otherwise—reform had come to be very uphill work in the face of discouragement from above. I rather inclined to think that the reforms I had effected might have a better chance of generous treatment, if conservative susceptibilities in that higher quarter were relieved of the fear of my going too far. Under these circumstances, I intimated that I should probably desire to be relieved in the following spring.

My approaching departure brought into renewed prominence the question of relieving the Government of Bengal of some part of its burdens. I expressed a decided opinion that it was necessary either to strengthen that Government or to reduce its functions. It was proposed to carve out of the Bengal territories a new Chief Commissionership, which should comprise all Assam—the extreme eastern portion of Bengal proper, Sylhet and Cachar—and the hilly country between and surrounding these territories, a measure which, besides taking away a good deal of territory, would relieve the Government of Bengal of much political and frontier work. I acquiesced in this arrangement, but I always had doubts whether another distribution might not have been better. Apart from the objection to cutting off some purely Bengalee country, it might also be said that Assam had much natural linguistic and commer-

cial connection with Bengal, besides drawing from thence so much of the labour necessary to its development. On the other hand, I thought that the connection between Bengal and Behar, though old, was somewhat unnatural. The people of Behar are quite a different people—Hindoostanees, speaking an entirely different language, and widely different in manners and customs. The climate, too, is very different, and I found a great practical difficulty on that account—service in Behar was more popular than in Bengal. It was the fashion for men who had served for long in Bengal to insist that, when their own or their wives' health required a change, they had a sort of claim to a turn in Behar. Such claims it was sometimes very difficult to resist, while the yielding to them involved a change from a people and a language which an officer knew well, to surroundings new and strange to him. That, I have always thought, the greatest possible evil in the properly executive grades of the civil service, one which I believe is much felt in several Indian administrations, and from which only the North-Western Provinces are free, and to some extent the Punjaub, which bears about the same relation to Hindoostan as lowland Scotland to England. My own idea would have been that, if it were decided to take Behar from Bengal, then the North-West Provinces and Oude, Behar, the Delhi territory, the Hindoostanee portions of the Central Provinces, and some of the small native states of Bundelcund, etc., which are inextricably mixed up with our territories, the whole comprising some eighty or ninety millions of people, might have been made into two Lieutenant-Governorships. But that was a more radical change than the Government were then prepared to attempt, so the Assam arrangement was carried out, and before leaving Bengal I handed over the territories that were to form the new Chief Commissionership.

In that connection I may mention a work which was to some extent more personal than official, but which my official influence no doubt greatly aided; especially that which I exercised in the Assam frontier territory, that

region of many tribes and languages. Through many zealous local officers I compiled a comparative vocabulary of the test words and phrases which I had some years before brought into use, showing all the languages within the Bengal territories, and some beyond those limits. The result was officially published, and has, I think, been appreciated as a large source of linguistic and ethnological reference.

In addition to the reforms which I directly introduced, I flatter myself that I was instrumental in educating a school of officers in Bengal, who carried on and extended the methods which, under the direction of the highest authorities, I was the instrument of introducing. After my measures had been tenderly and generously treated, and well forwarded by my immediate successor, Sir R. Temple, some were forwarded and some discouraged by Sir A. Eden. Following him, Bengal was, till the other day, in the hands of men who had been among the best of my fellow-workers during my incumbency—Sir Rivers Thompson, to whose courageous administration I have already borne testimony, and Sir Stuart Bayley. The present Lieutenant-Governor, Sir C. Elliot, was not with me in Bengal, having, like myself, been imported from Northern India; but it happens that he too had served under me in former days in Oude, etc., and I think his sympathies are with me. Sir C. Bernard, after admirable service subsequent to my departure (in addition to the inestimable aid which he gave me), is now in a position at the India Office which gives him some share in current Indian affairs. Of the somewhat younger men, Sir Alexander Mackenzie, after much excellent service, is now doing a great work as Chief Commissioner of Burmah, and is, I hope, destined to rise higher still; and Mr. MacDonell, one of the best of my young men, after having been promoted to very high office in the Government of India, is now Chief Commissioner of the Central Provinces. Sir John Edgar, a man with whom I had close relations, and to whom I owed very much, has long, as Chief Secretary, been a kind of Prime Minister of Bengal, besides under-

taking several important functions meantime. I have already mentioned some of the special services of Mr. H. I. Cotton.

I have mentioned that in the earlier part of my time in Bengal I was fiercely attacked in the press, and to tell the truth those attacks were pretty constantly maintained. I have said that I think there was some relaxation after the publication of my first general report explaining the lines on which I proceeded; and again towards the close of my service I think there was a disposition towards a softening of asperities. The Scotch public dinner in Calcutta on St. Andrew's Day almost takes the place of the Lord Mayor's feast in London, and is an occasion on which men in prominent position are welcomed, whether they be Scotchmen or not. On that occasion, in November 1873, when I was in the chair, I was received in a way that much gratified me and made me think myself almost popular.

Early in the ensuing year I had a communication inviting me to stand, in view of the approaching general election, for the constituency which I have since represented in Parliament, but I at once decidedly replied that I could undertake nothing while famine threatened Bengal, and another was chosen on that occasion. To the Bengal famine, then, I now come.

CHAPTER XIV

BENGAL FAMINE OF 1873-74

THE rainy season of 1873 commenced late and rather scanty, but during July and August the rain was sufficient for agricultural operations, and the earlier and drier crops were got in and grew. But after that the rains failed more suddenly and completely than had been known in the present century, and the effect on the main rice crops over great tracts was most disastrous. Behar lives partly by the drier crops and partly by rice—the latter chiefly in North Behar, quite the most populous part in India. Bengal proper may be said to be almost wholly a rice country.

One of my reforms had been to introduce a system of periodical reports from each district on the state of the country. When September passed with scarcely any rain the situation became serious, and as October advanced without a drop of the final rainfall usually expected at that season, the reports from all sides became alarming in the highest degree. My position was one of peculiar responsibility. Not only was I responsible for the safety of an enormous population, but as an expert who had inquired into former famines, and sat in judgment on others, that personal responsibility was much accentuated. At the same time one of the things I had learned was the extreme difficulty of making a sure forecast, especially where statistical information was so very imperfect as in Bengal. I knew, too, that the reaction after the failure on the occasion of the Orissa famine had caused a tendency towards too

much rather than too little alarm, and that my function must be almost as much to moderate and keep within bounds, as to take care that there was no neglect of the symptoms of approaching famine. When the reality of the failure was known, I was almost too well served by the press, which had certainly ineffectually warned the Government of the danger in Orissa, and was now most ready to support the official representations regarding the imminence of danger in Bengal. Perhaps my caution in the matter, compared to the less restrained statements in the press, induced the Government of India to entertain some anxiety, if not some distrust, and caused Her Majesty's Government at home to be almost in advance of ourselves in suggesting immediate extraordinary measures in the way of importing food from a distance. The sensitiveness, too, on the subject of famine after the Orissa failure led to the instruction that we were on no account to permit any human life to be lost which could by any means be saved, an instruction which involved some anxiety to those who knew the difficulty of certainly forecasting what might occur. In the latter part of October there was no doubt of the reality, though there might still be question of the degree of the failure. I went to Patna, the capital of Behar, to make inquiries, and on the 23rd October I officially reported "the gravest apprehensions of general scarcity throughout the country, and of worse evils in large parts of it." There were still slight hopes of an unusually late fall of rain, but nothing came; and in the first half of November the prospects became very black indeed. Besides reporting to the Government of India, I telegraphed to the Secretary of State that there was an excessive failure of the rice crop in Behar and parts of Bengal north of the Ganges, and a short crop in a wider area; also, that the prospects for the spring crops in Behar were very bad. These spring crops are the wheat, barley, etc., sown in October and November, and reaped in the early spring. And if there was one point on which all the reports were uniform and positive it was that, owing to the failure of the latter

rains, the ground was so dry that the seed could not possibly germinate.

The supply of funds to meet famine on a large scale rested wholly with the Government of India, so that I could have done little without their sanction. But on the alarm becoming serious Lord Northbrook hurried down from Simla, and we were able to arrange matters by personal consultation between the Government of Bengal and India. Sir Richard Temple, who was understood to be my probable successor in the government of Bengal, paid me a visit at Belvedere, and we all united in effort to avert calamity.

At this time I made a proposal of which something must be said. In addition to the provision of work and a supply of food for the labourers, I proposed that the export of rice should be prohibited. The experience of Orissa and elsewhere showed how slowly trade is diverted from its accustomed channels, and in this emergency I wished so far to anticipate private action. There was no doubt that under the existing law the Viceroy in Council was expressly empowered to take such action, and native opinion was all in favour of such a course. At first my expression was prohibition of export from "India," which would technically include Burmah, really a separate country, with no land communication with India; but within a few days I confined the recommendation to export from Bengal, and it was on that basis that the question was argued. The main export of what is called Indian rice is from Burmah —the only other province that largely exports is Bengal— and there the export is very variable, according to the circumstances of each year, never exceeding a small proportion of the production. About this time it became clear that in spite of alarming reports the rice survived in the lower and moister districts of the east and sea-board, from whence the surplus usually came — the excessive failure was confined to the north-western districts of the Bengal government. I wished then to save all that was available in the south-east, and, as it were, to dam it up and drive it

to the northward. Of course such a measure is a very debatable question. I have no doubt that in any other country than a British-governed country it would have been done. Still, it was a proposal contrary to many English ideas, and I could not have been surprised if the Viceroy, on due consideration, had rejected it. I think he went farther than that; he would not listen to or discuss such a proposal for a moment. Lord Northbrook, bred in the strictest sect of English free-traders, looked on my proposal as a sort of abominable heresy—was as much shocked as a bishop might be with a clergyman who denied all the thirty-nine articles. The Government at home supported the Viceroy, but in a less decided tone, the Secretary of State afterwards remarking, "To be sure, we have not heard the arguments on the other side." However, the result of telegraphic communications was that Her Majesty's Government approved the decision of the Government to meet the emergency by the purchase and import of food rather than by prohibition of export, and so it was settled. The Government of India undertook to obtain supplies from Burmah and elsewhere, and that course was followed out on a very large scale. I have often thought over the matter, and to this day I am not convinced that the decision was right. I still incline to the belief that millions of money were sacrificed to an idea, and great efforts and labour were rendered necessary, when a very simple order prohibiting exports would have done almost all that was required by a self-acting process. The position of the Government of India seems to me to have been somewhat illogical. I can understand non-interference with trade; but in this case the enormous Government imports amounted to an artificial interference with trade quite as great as the prohibition of exports. If the Government were willing to run the risk of supplying work only and trusting to private efforts for food, no doubt Behar and North Bengal were by no means so isolated as Orissa. Private imports would, sooner or later, have been drawn in, and I think that prices would probably never have reached the extreme point that they

did in Orissa, nor would famine (though on a larger scale) have been so acute. But the effect of the known determination of Government largely to import was to prevent an immediate extreme rise of prices, and the deflection of the trade of Lower Bengal; consequently for some months the export of rice from Bengal went on in its accustomed channels. The strange spectacle was seen of fleets of ships taking rice out from the Hooghly and passing other ships bringing rice in; often, no doubt, the same ship brought one cargo in and took another away. Inasmuch as the export took place in the earlier months of the year, while the Government imports were considerably delayed, the means of carriage up country were not utilised in the earlier months, and an excessive strain was thrown upon them at a later and much less favourable season, involving an enormous expense. Even up to the time when I left in the beginning of April, the imports barely equalled the exports, and in the whole famine year the exports of food from Calcutta were about two-thirds of the imports. The quantity imported and sent up country proved considerably in excess of the actual need; and my calculation is that if the rice exported from the moister districts of Bengal had only been diverted to those where there was most failure, we might have pulled through with very little Government importation at all. Be that as it may, it was finally decided in November to meet the difficulty by importation, and that course was followed throughout at a cost of several millions sterling. One alleviation of our worst fears was apparent before the end of November—in spite of the confident predictions to the contrary, the wonderful retention of moisture in the soil is such that the cold weather or spring crops germinated, and, aided by a little rain very late in the cold season, there was not an extreme failure of these crops. The consequence was that the dry crop districts of Behar and the adjoining districts of the North-West Provinces (where there had also been an alarm) produced food enough to avoid actual famine; and what may be called mixed districts, relying partly on dry crops and

partly on rice, managed to avoid the worst extremity. One crop only was good that season, viz. maize; but, unfortunately, maize is nowhere in India (except, I think, in some limited parts of the Himalayas) one of the main staples. The result of the season was that the excess of failure was confined to the rice tracts intermediate between the dry crop districts of the west and the moister districts of the east. A careful calculation made at a later date showed that the excessive failure affected a population of about twelve millions of people, while there was great dearness and scarcity in a much wider area. Within that twelve million area the failure was certainly more complete than in the famine year in Orissa, and the population was also much larger. The difference was that the tracts affected in 1873-74 were more accessible, though, in fact, the means of access to the interior were very far from good, and we only managed to get in the large supplies of grain by the aid of light surface railways extemporised upon the moment.

The question of prohibiting exports put out of sight, I was fortunate enough to find that I was quite in accord with Lord Northbrook and his advisers in regard to the systems of relief to be followed. Public works were at once set agoing to give employment to the able-bodied, and, as the pressure became greater, we went further and further in regard to measures of relief, and brought work nearer and nearer to the doors of the people. Our system may be described as a liberal and indulgent one. In that sense our measures were subsequently a good deal criticised, and I may say caricatured, and that criticism led to a much more severe system in the next great famine in India. The questions underlying the difference of opinion in this respect are much the same as those involved in controversies regarding the respective merits of out-door and in-door relief. I am, I confess, partial to the system of out-door relief prevailing in Scotland, rather than to the stricter workhouse system so much advocated in England. But be that as it may, the Government of India and myself were agreed that,

when we were not dealing with habitual paupers, but with an honest agricultural population, reduced to want by a great national calamity, it was better not to treat them as paupers, but to assist them in a way more congenial to them. We felt, too, very much (and of that I have no doubt whatever), that if we were to fulfil the injunction to save human life at any cost, there were large classes of the population whom it was absolutely necessary to approach at their homes, and who would certainly have died in very large numbers if tests and rigid rules had been applied to bar too easy applications for relief. The Government of India supplied funds liberally. I thought it rather hard that when, with much care and saving, I had accumulated a sort of Bengal nest-egg (under the local finance arrangement), I was required to sweep it away and spend it on famine—for famine was not one of the things for which the local government had been made financially liable; but that was soon gone, and after that the Government of India found the money for the measures necessary to save the lives of the people, provided the measures adopted were approved by them. We set to work then in thorough earnest to carry out the instruction that no life should be lost which could in any way be saved.

The smallness of the executive machinery in Bengal made it the more necessary that we should set up a large special machinery to deal with the famine. Arrangements for the conduct of public works were at once made on a large scale, and then we proceeded to establish a great civil organisation, spread like a network over the distressed country, to meet the needs which we anticipated. The very best of our officers were put in superior charge, and picked men under them in subdivisions of districts and local circles. I denuded all the other districts of every good man who could possibly be spared, in order to supply the distressed tracts; and I borrowed a good many officers from other administrations, especially from the North-West Provinces; also some available military officers, accustomed to deal with natives. For minor charges under the circle

officers we enlisted all the most trustworthy local men we could find, enlarging upon the system which had been followed in taking the census.

The plan followed was first to open large public works, under officers of the Public Works Department, where full work was exacted, and full pay given to the able-bodied. When the need of employment outstripped that system, and large masses of the people came upon our hands who were not capable of full work, we set agoing much smaller local works nearer the homes of the people, managed by the best agency we could get. In all except the greatest works the officers in charge were entirely under the orders of the superior civil officers—for in such cases departmental rules could not be fully maintained—we could not expect to get the fullest return for our money, but we exacted some real work for which we paid low wages. A wide discretion was used according to circumstances as regards the imposition of moderate task-work. Responsible cultivators, with some permanent interest in the land, we did not seek to drive to public works—we thought it better to make them some advances to enable them to carry on their own cultivation through the next harvest, making these advances either directly to the ryots or through reliable land-holders and village bankers. We had a good deal of doubt and misgiving about undertaking such operations on so large a scale, but the plan proved wonderfully successful.

When we got beyond local works and advances to responsible cultivators, and came to the charitable relief of people unable to work, we insisted on the principle that such relief should only be given after inquiry into each individual case. To effect that a very extensive machinery was required, and much organisation; but it was done. Local registers were opened, showing the cases where relief was required and the relief given, and this enabled superior officers to examine test cases taken here and there. Even the gangs employed in small local works were sifted out, and noted according to the villages to which they belonged. Where possible, some small work in the way of spinning and

weaving was given to women who were capable of working at home. Cooked food was given to the starving, and small out-door allowances, mostly in grain, were made to people not able-bodied, and ascertained to be in want.

The great thing was to have all the machinery ready before the worst strain came, so that the means of meeting the demand should then be available without undue haste and panic. A general feeling of zeal in a great cause pervaded our officers, and they worked most handsomely, with an excellent will, many of them earning much distinction in the cause of humanity. We could not hope that all this should be done on a very great scale without some abuses cropping up, but all did their utmost to minimise this as much as possible, and we had no reason to believe that abuses very largely prevailed. An object which we steadily at all times kept in view was so to make our arrangements that, even if there might be any excess or imperfection in what was done at the time, we should not suffer any general laxity to grow up which might cause a more lasting demoralisation in the future.

Besides supplying food to our labourers, and giving doles of uncooked food by way of charitable relief, shops were established at a later period for the sale of Government grain, but only where the private trade was exhausted and failed to supply the people. We had no enclosed workhouses or poorhouses, except hospitals for the sick, reduced, and weakly.

Early in 1874 I visited the distressed districts in the places where real famine was already apparent, and on my return I wrote a detailed note setting out the methods and systems to be followed, of which the Government of India approved, and which contained the plan of action followed throughout the famine.

For a long period after we commenced operations the question of the quantity of food to be imported, in order to secure us against failure, was much discussed between the Governments of India and Bengal. My own disposition was rather towards caution and economy, but the superior

authorities were very urgent that no risk should be run—perhaps all the more after they had so positively refused to prohibit exports, and undertaken to meet the difficulty by imports. The function of indenting upon the Government of India rested with me, and I had some difficulty in coming to the full measure of demand which quite satisfied them. I felt, however, that after all that had been said, we were bound to be on the safe side, and going perhaps a little beyond what I felt sure would be required, I got so far as to indent for 250,000 tons of rice. Eventually the Government of India went far beyond this.

It was not difficult to procure the supply of rice in course of time, but there was great difficulty about the transport of it into the interior of the districts, especially at the later period, when very large supplies were being sent up. By that time Sir Richard Temple had gone up as famine delegate to exercise a general superintendence, and he made the arrangements for the transport. A large part of the work was done by indigo-planters under contract with the Government, and that arrangement excited some criticism. I think I have mentioned that in Behar indigo is not managed on simple mercantile principles, but that the indigo-planters, leasing estates from the Zemindars, acquire and exercise a sort of feudal power, to which exception may be justly taken. One form in which this power was exercised was to require the ryots to place their carts and bullocks at the disposal of the planters, for the carriage of indigo and other purposes, and that power they were ready to use for the carriage of grain to the distressed districts upon terms very advantageous to themselves. No doubt the terms of their contracts enabled them to obtain from Government rates enormously in excess of those which they paid the ryots. It was questionable whether it was desirable that Government should be a party to the exercise of their feudal authority; but the need was very great, and they certainly did the work more efficiently than perhaps it could have been done in any other way. In all, 458,000 tons of rice and other grain were sent

by Government to the distressed districts, of which nearly 400,000 were imported from Burmah and elsewhere, and the rest purchased locally in India. I should have mentioned that, very early in the day, we sought to encourage private trade by a great reduction of the railway rates, the Government compensating the railway company; and, in fact, the Government imports by no means destroyed the private trade, especially that from the North-West Provinces. Large quantities of maize and other foods were brought in by private traders from the north-west, and there was also a considerable private trade in rice from the more productive districts of Bengal; so that altogether the quantities of food ascertained to have been brought into the distressed and partially distressed districts by private traders from the railway and the river, considerably exceeded the Government supplies, apart from the small streams of trade, of which no account could be had. Of the Government supplies, something over 100,000 tons remained unexpended at the end of the famine. The total net cost to Government of the relief operations, after crediting money recovered by sales, repayment of advances, etc., and apart from large permanent public works, was about £6,500,000.

I have alluded to Sir Richard Temple as famine delegate. Early in 1874, when the famine operations were becoming very large, and the work of all kinds was almost more than I could undertake, Lord Northbrook proposed that Sir Richard should assist me by going to the distressed districts to superintend the operations as famine delegate, acting under the Government of Bengal, and also possessing the confidence of the Government of India; and I quite willingly accepted the arrangement. Sir Richard and I were quite in accord; he gave a great stimulus to the work, and set things very much in order, and that put him in a position more effectively to control everything when he eventually succeeded me, and carried through the main stress of the famine the operations which I have described.

It seemed to be supposed that Lord Northbrook and I

were not so much in accord; but that was not really so. As I have already said, he and I were quite agreed as to the methods of dealing with the famine (the export question apart), and so long as I was in India I was allowed to manage matters in a way which gave me no reason to suggest that anything was wanting. No doubt the Government of India, which had to find the funds, were quite entitled to exercise a control over their expenditure. I only felt that there was perhaps some excess of supervision. With my special experience in regard to the question of famine, and with the assurance that I was not disposed to excess, it might have been more generous to have more completely trusted me. At a friendly conference I did to some degree complain that very complete responsibility was thrown upon me without complete discretion. It was not that anything which I required was denied, but I was placed in a kind of dilemma—if what I asked for proved to be too little, a very great responsibility for failure would be thrown upon me; if, on the other hand, I asked for more than proved to be necessary, the blame of extravagance and miscalculation would rest upon me. Still, that was only a personal matter; in the main there was no difference of policy, so long as I administered the Government of Bengal. It was only after I left that the provision of grain and the measures of relief were carried beyond what I should have thought expedient, and beyond what proved in fact to be absolutely necessary. Sir Richard Temple, my successor, carried through the measures of famine relief—he acted in accordance with the instructions of the Government of India; and the latter Government avowed the entire responsibility for any excess in the provision made, knowing well the extreme uncertainty which must attend the best calculations regarding the outbreak of famine, and the great risk that must be run if the estimates were cut too close. I should be the last man in the world to impute any blame for any excess of provision beyond the necessity of the case. The great thing was that, for the first time in Indian history, a great failure of crops, such as

had hitherto produced famine, was met in such a way as to save the lives of the people, and that there was no serious mortality. That was undoubtedly the case, and we had reason to thank God for it. The instruction that no subject of the Queen should be allowed to perish who could be saved by any means, at any cost, was almost literally fulfilled.

It was also a subject of great satisfaction and congratulation that the event proved that the people were by no means pauperised and demoralised by the liberal relief given. When the rainy season of 1874 commenced in due course, very large numbers of the people receiving relief voluntarily went off to their own fields; before long they had almost wholly disappeared. The new crop was cultivated, and the famine came to an end. The advances made to the cultivators were eventually recovered with wonderful punctuality. Altogether, whatever critics may say, my belief is, that all those concerned in these measures of relief had reason to be thankful for the result. I say this from an impartial position, since so much of the work was done by others.

I have mentioned that, before the alarm of famine, I had intimated my wish to be relieved in the following spring. As I think I have said, I had calculated my forces to run to a certain point, and in expectation of being then relieved had worked as hard as ever man worked. It was then very much a question whether I could bear the great additional strain of the famine, and I was hardly surprised that the doctors began to warn me that there were signs of overwork.

The occasion, however, was a critical one. I would have run any risk, and died at my post if necessary, rather than give up, if the complete responsibility had rested upon me. But it was not altogether so—my requirements were complied with, but I felt that the management did not entirely rest with me. I had done my part—had given due warning, had made adequate preparations, had prepared the requisite machinery, had visited the famine tracts, and had satisfied myself both of the reality of the evil and of the sufficiency of the remedies prepared, and had elaborated a system by

which those remedies were to be applied. Sir Richard Temple had taken up the executive superintendence of the famine, and was to succeed me in the government which controlled the operations. Still I was very unwilling to leave the field—it was thought necessary that a committee of doctors should sit upon me to certify whether there was real necessity for my going, and they certified that it was necessary. The Secretary of State, the Duke of Argyll, guaranteed that there could be no suggestion that by coming away I had failed to fulfil my function as long as it was possible to do so, and he proposed that I should join the Council of India at home, to a vacancy in which he nominated me. Under those circumstances I no longer struggled, and in April 1874 I made over my charge to Sir Richard Temple, and went home. I never myself quite felt the complete breakdown that the doctors prophesied. I worked fully to the last, and went away without any collapse, though, no doubt I was a good deal strained.

I have already carried to the last the account of my general administration. As regards the famine, I must think that as matters turned out it does seem that, if the Viceroy had been willing to trust me more completely, the objects we all desired might have been attained with much less expense, with less labour and dislocation, and without incurring the prejudice which was to some extent caused when it turned out that the measures of relief were somewhat in excess of the need. As it happened, my estimates proved to be pretty accurate, and would just have sufficed without leaving much margin beyond. But again I say, that these things must always be uncertain; and there was probably much of accident in the coincidence between my estimates and the reality. One very serious result, however, followed that sort of prejudice to which I have alluded, viz. another oscillation of public and official opinion, and a second reaction against too liberal relief, just as there had been a reaction in favour of very liberal relief after the Orissa famine. Serious mortality having been avoided, it was impossible to measure the degree of the evil which was averted; and the

fickle opinion of some people then inclined to minimise that evil. This is an ungrateful world—and so it was that our very success caused our efforts to be depreciated. No one who saw the crowds collected so early as February and March, and the appearance among them of starved skeletons —sure indications of famine—could doubt that the crisis was real, and must have become very severe. But happily the people were relieved, so that it could be said that there was no famine. It is curious now to look at the discussions in Parliament on the subject, and to see how much in April 1874 the Duke of Argyll and Lord Salisbury were obliged to defend us from the imputation of not doing enough; and then to note how, a year or two later, the need was to defend ourselves against the charge of extravagantly doing too much. Several circumstances combined to cause a change of opinion besides the usual reaction. No doubt the expenditure was large, and it was admitted that the event proved that it was somewhat larger than was actually necessary. I think it was to some degree the case that towards the end, when it was found that there was much grain to spare, there might have been some laxness in the distribution of it—stories on that subject got about. And it was known that fortunes had been made by the indigo-planters who had been employed to transport the grain. At any rate there certainly was a reaction, not only in the public mind, but also eventually to a great extent in the official mind. I think that, when Sir John Strachey assumed charge of the North-West Provinces, he was somewhat misled by comparing some of his border districts with ours in Behar. There had been an alarm of famine there too—famine works had been started, and some considerable expenditure incurred, but a little later Sir John Strachey was able to check that expenditure, and to send most of the people back to their homes. He was, I think, rather inclined to generalise and compare these districts of his with our famine districts; whereas, in reality they could only be compared with those of our districts in Behar which never went beyond scarcity, and where we followed much the

same course that he did, giving only moderate relief for a short period, and shutting it off as soon as possible.

When the next great famine came in 1876-77—that in Southern India (and also partially in the North-West Provinces), it turned out that the views of the Government of India were completely changed, and that instead of urging liberality and thoroughness of relief as they did in 1873-74, they rather followed a policy of severity and restriction to prevent abuses.

That famine of 1876-77 was of a different kind from our Bengal rice famines. It occurred in the dry crop countries—the failure was never so sudden and severe, but it lasted much longer, extending to some extent over a second year. It affected the Bombay Deccan, great part of the Madras territory, part of the Native State of Hyderabad, and almost all Mysore. Also, as I have said there was scarcity in parts of the North-West Provinces. The principles of action laid down by the Government of India were in many respects different from those approved in 1873—the main reliance was on public works, and it was desired that the works should be controlled by the regular officers of the Public Works Department, and a regular tale of work exacted—at any rate till things became very bad indeed. Famine relief was to be hedged in by strict rules to prevent its being dispensed to any but the very necessitous. On this occasion there was no Government importation of grain. The Government of Madras commenced to purchase some, but that was promptly checked by the Government of India. No doubt, the famine being prolonged over a considerable period, and there being many railways and modes of ingress for grain from several quarters, the result proved that the reliance on trade was justified—there was always food, provided funds were found to purchase it. Things never reached the stage when money would scarcely buy food as in Orissa in 1866, or in Bengal in 1770. There was a good deal of difference of opinion between the Government of India and the local authorities, and on this occasion again Sir Richard Temple was sent to the south

as famine delegate—this time directly representing the Government of India. But on this occasion his instructions were totally different. He went to Behar to accelerate and enlarge relief measures; his mission to the south seems rather to have been to scrutinise them in order to prevent abuses and check undue expenditure. In addition to enforcing the rules of the Public Works Department, and exacting task-work as long as possible, the Government of India desired to discourage the too easy application for relief by establishing what was called the distance-test. That is to say, that relief should not be given unless people were willing to come a certain distance from their homes to seek it. And as regards charitable relief, they were required to come to what were called closed camps or large poorhouses. The details of the difference of opinion between the local authorities and the Government of India have not been made very clear, but generally they turned upon the desire of the former to give more liberal relief, and that of the latter to hedge it in by precautions against abuse. It was understood that for the most part, the Bombay Government had successfully acted on principles approved by the Government of India. There was no doubt that there had been much administrative failure in Mysore; but by far the largest expenditure and the greatest differences of opinion occurred in the Madras territory, where a very large population was affected; and it is curious that to this day no official account of the Madras famine has, I believe, been made public. The Famine Commission subsequently appointed say in their report: "The Government of Madras has not yet sent in any report on the famine in that Presidency, and we have not had the same facilities as in the cases of Bombay and Mysore in our attempt to trace the history of the distress and the means of relief."

So much is clear from the report of the Famine Commission that the system adopted in 1876-77 was not successful in combating famine and preventing mortality; on the contrary, mortality was enormous, while the expenditure was at the same time very great. In Madras alone

the direct cost to the British Government was estimated by the Commission at £8,000,000 sterling, and including Bombay and some other districts, they put it at upwards of £11,000,000. The mortality from famine and disease they put at upwards of 5,000,000 people. As I have said before in regard to Orissa, it is quite impossible to obtain any accurate account of the deaths resulting from famine; even if we ascertain the total deaths, it is impossible to distinguish between those due directly to famine, and those due to the disease which usually accompanies famine as it accompanies war. In the Bengal famine of 1873-74, whether from fortune or from liberality, we almost wholly escaped disease as well as mortality from direct famine. In 1876-77 famine was largely supplemented by mortality from disease. Even in the North-Western Provinces there was a large mortality in some districts, but it was impossible to distinguish between the effect of scarcity and the malaria due to canal irrigation, and epidemic disease. In Madras and Bombay, famine and disease worked together to cause a great mortality. The next census in 1881 left no doubt whatever that a great depletion of the population had taken place in many districts. Even in some of the Bombay districts where it was supposed that the famine had been successfully grappled with, the census showed a heavy decrease of population, and in a large part of Madras and Mysore the decrease was very heavy indeed. Assuredly, whether the system followed in 1873-74 was justified or not, that followed in 1876-77 was not successful in preventing famine and the results of famine. If the method followed on the earlier occasion was not the right one, we have not yet succeeded in discovering what *is* the right and effectual method; that has yet to be settled on the occasion of some future famine.

As expressing the views on the subject to which I still incline, I here insert a letter which I addressed to the Famine Commission appointed after the famine of 1876-77, in reply to their request for opinions to assist them in their task:—

Letter from Sir GEORGE CAMPBELL to the Honourable H. S. CUNNINGHAM,—dated S.S. *Germanic, on the Atlantic*, the 17th September 1878.

I regret that I only received your letter and enclosure a day or two before starting for America, and am therefore unable to answer it at length. In truth, however, I do not think that I could have added much to the views which I have put very fully on record in my dealings with former famines, in books which are no doubt accessible to you. The views at which I arrived as President of the Commission on the Orissa famine of 1866 are stated in the reports of that Commission. Of course, where they have been modified by the subsequent experience of the Bengal famine, the last opinions expressed by me are the more matured. I went up to the famine districts in March 1874, and, on my return, wrote a minute of instructions, to which I would refer you as containing my views of the best mode of dealing with famine under the circumstances which then occurred. Those instructions were accepted and approved by the Government of India, and may be taken as expressing the principles on which relief was administered in that Bengal famine. I have had no subsequent experience by which those views might be modified. And so far as different principles have been followed in dealing with the recent famine in Southern India, I confess that so much as I have been able to gather from reading the papers has rather confirmed me in the course I previously held, than converted me to another. I have always been of opinion that, as it turned out, the object might have been effected in Bengal at a smaller cost; but, so far as I have yet seen, I adhere to the general principles on which relief was then administered. The main differences between the system followed in Bengal and that prescribed for Southern India, seem to be in regard to the distance-test and the superintendence of public works, and especially in regard to poor-houses, and what would be called in-door, as distinguished from out-door relief.

I entirely admit and accept the view that, as long as we have no more than scarcity to deal with, and real famine not having arrived may yet be staved off, it is enough to offer to the labouring population, thrown out of work, employment upon public works conducted on the ordinary system and under the superintendence of the Public Works Department, on which a full day's work may be exacted. In such case, too, I think that the need of the works, and their remunerative character, may fairly be

considered, even more than the convenience of the labourers; and that if the former considerations require that they should go to some distance from their homes, it may fairly be insisted that they should do so. I even think that in many cases famine may be altogether averted by such measures, and nothing more may be required. But when real and serious famine is really upon the mass of the population, then I think that such a system will not suffice; that the distance-test cannot be enforced without much suffering and loss; that the rules of the Public Works Department must be put aside, and the Public Works officers subjected to the control of the Civil officers; that full work cannot be exacted; that the relief of distress must be more considered than the permanent utility of the works; and that, at last, the work may become rather preferable as an alternative to absolute idleness than of much real utility in itself. Useful work is, of course, always to be preferred, where it can be found near at hand; but in extreme famine, comparatively useless work is, I think, better than forcing the people away from their homes. There may even come an extremity of famine in which little good can come of the attempt to exact work from those who are not fully able-bodied, and in which moderate gratuitous relief is better than more liberal relief, given as the price of unavailing labour.

This brings me to gratuitous relief and the point on which I am most inclined to differ radically from the course recently followed, which I understand to have been to insist that those requiring such relief should come and reside in great poorhouses and poor-camps. My experience has led me to entertain a belief strongly opposed to any such system. I very much prefer to keep the people in their homes, when they cannot go to public works, and to give them there such relief as may be absolutely necessary. It is the old question between in-door and out-door relief of pauperism; and whatever may be said in favour of in-door relief as a means of checking ordinary pauperism, I am strongly of opinion that the system is entirely inapplicable to extraordinary famines when the people are thrown on our hands in masses. In such cases, I would confine the use of poorhouses to people who cannot be otherwise cared for—the old, infirm and sick who have no friends to take care of them, deserted children, and such like cases. For the rest, I think, almost all gratuitous relief should be out-door. It is true that the in-door-test will greatly diminish the number seeking relief; but the effect is to exclude very many of the most necessitous, and of those who are most likely, or most certain, to die if not relieved. And if the numbers relieved are diminished by the poorhouse system, on the other hand

the expense per head is very greatly increased, since all the persons so received must be very fully rationed, housed, and perhaps clothed; whereas, a very much more moderate scale of relief will suffice for persons living in their own homes, and free to eke out a subsistence by all the means they can devise, sometimes by the aid of small stores or credit, and oftener by jungle berries, snails, mice, and the like. No doubt, it may be difficult to restrict relief in this form to the most necessitous—in ordinary times it would be dangerous; but in time of severe famine, when so many are really necessitous, and extraordinary agencies are at work to watch the population and check fraud, I think that the evils of this system are less than those of the opposite course. In the Bengal famine relief was given to the people having land or other permanent resources in the shape of advances, which have been, I understand, marvellously well recovered since the famine; while to those with no such resources, after due inquiry, weekly doles of grain were given, which they took to their homes. Certainly, this system was successful in preventing mortality to a degree, which, unhappily, has not been the case under the other system. And, take it altogether, I believe that the out-door system will be found to be the more economical of the two, as well as the least demoralising. Experience has shown that relief, such as I have described, given widely in time of real famine, has led to no permanent pauperism; and the people, retaining their homes and home-habits, their social ties not being disrupted, return to agriculture with the first fall of rain. When their homes are broken up, and they are treated as regimented paupers in poor-houses, it is much more difficult to restore them to agriculture and independence. Nothing but clear proof of success in a really great famine would lead me to accept such a system.

As respects measures to prepare us to deal with famine in the future, I have long dwelt on the necessity of preparing beforehand schemes of public works ready for execution when the time comes; but, at the same time, I have become aware, by experience, of great difficulties. It is most difficult to obtain sufficient practical thought and care in the case of schemes not to be immediately executed, and which are, as it were, mere theories for an uncertain future. And needs of this kind rapidly alter: the making of a railway or a canal, a turn in the course of trade, an oscillation of public opinion, may wholly reverse our views regarding particular public works. It is necessary, therefore, that such schemes should be annually revised. I think that the best plan is that for every province, district, and municipality, there should be an annual scheme of public works, say three times greater than

immediate means will permit; that these should then be classed in order of necessity; that those selected should be immediately executed; and the rest should form a reserve in the order in which they are classed.

The question of raising the condition of the people so as to enable them to resist famine, involves the whole administration of India, and is, I fear, far too wide to be treated of in a note of this kind. I shall then only allude to one point, in connection with that first of all subjects, the tenure of land, to say that, in my opinion, we have made the double mistake of giving the people either too little or too much right in the soil,—too little when we have reduced them to be mere tenants-at-will under landlords—too much when we have suddenly, without any preparatory stage, given them absolute and transferable rights of property, liable to summary sale at the suit of any creditor, and the value of which the people have often hardly understood till they have lost them, or hopelessly burdened them, and see themselves reduced to a position far worse than that in which we found them before we gave them these premature rights. In my view, the form of right in the land, both most adapted to the present stage of the people of India, and most consonant to native facts and native wishes, is a sort of superior tenant-right, somewhat resembling the higher classes of tenant-right in Ireland, such as are found in Ulster.

Note by Editor.

The Memoirs left by Sir George Campbell end with the foregoing account of the Bengal famine of 1874, and of his views on the administration of famine relief. The appendices, which follow, were selected and marked for publication by Sir George Campbell.

APPENDIX TO CHAPTER VI

A letter written to the "Times" in 1858, *see Vol. I., p.* 304.

"SIR COLIN CAMPBELL'S CAMPAIGN.

"THE history of public events is seldom read aright till we have a key to them in a knowledge of the character of the principal actors. The man who in his personal conduct is brave and prompt is sometimes, as a public man, pusillanimous and vacillating; he who has physical courage is not always possessed of moral courage. The present Commander-in-Chief in India presents some singular varieties of character, which are not generally understood. In the Crimea he never attained a chief command. He was known only as a General of Division, executing the orders of others. The nearest approach to an independent command hitherto exercised by Sir Colin was when a few years ago he commanded the troops in the frontier valley of Peshawar. The military circumstances of the Afghan frontier were these:— Along the Trans-Indus line, from the frontier of Scinde to the neighbourhood of Peshawar, the Punjaub local authorities themselves carried on that chronic guerilla warfare with the robber tribes which has subsisted from the earliest ages, and carried it on with such success that they have reduced the tribes to a degree of submission unknown from the days of Akbar to those of Dalhousie, while in this warfare has been formed that little Punjaub army which has so much aided us in the reconquest of Hindoostan, and has proved its *matériel* to be admirable to a degree which no native troops can ever surpass. In the neighbourhood of Peshawar itself, for the more important expeditions, the aid of the regular troops was called in, and the General of course took the command. On these occasions Sir Colin Campbell was remarkable for his opposition to the system of guerilla war of the Punjaub authorities. He disapproved of it entirely, and whenever he moved he insisted on an

overwhelming force. Constantly this difficulty arose whenever he was asked to do any particular service. Considerable difference of opinion was the result. The Government supported the Punjaub administration. On one occasion Sir Colin was ordered against the hill tribes; he went a little way, saw the difficulties of the ground, declared he would not move a step farther without 30,000 men, and returned. Lord Dalhousie is reported to have said that he carried caution to the verge of something else. Probably the official reply to the reference was couched in more courtly, though sufficiently cutting terms; at any rate, the result of it all was that Sir Colin resigned his command in disgust, and Sir John Lawrence successfully managed the frontier on principles which were not approved by Sir Colin. That is the history of the previous Indian command of the man who has returned as Commander-in-Chief under circumstances which make him very nearly a dictator. The truth is that Sir Colin, with all his personal bravery and brusqueness, has, as a General, a military hobby or crotchet—viz., excessive caution. . . . He is no politician, and no financier; he looks not to broad views beyond the strict and immediate military bearings of the case. The financial ways and means are nothing to him. He will not run any risk; but when he has time enough, and men enough, and guns enough, he will do what he is bid in his own way. A fine, frank, popular old soldier, who never spares himself, and commences on these principles, is likely to have a fair field and every favour from the public, and so Sir Colin has had; but we must judge by events whether he has carried his system beyond due limits, and whether, under the peculiar circumstances of this servile war, he has been the right man in the right place, and has done justice to our Indian empire.

"The Commander-in-Chief reached Allahabad on the 1st of November. At that time, not only was the great focus of rebellion extinguished at Delhi, but, if our pursuit of the flying enemy had not been so sharp as it might have been, we had at least followed them in tolerable time and with a respectable force. . . . We had cleared the country about Delhi, regained several of our districts, and restored our prestige in the Punjaub. The Mhow and Neemuch mutineers had come to destruction at Agra. The Gwalior mutineers had refused to join them. The country above Agra, Muttra, and Alighur was ours. A column from Delhi, 3000 strong, in excellent case, and comprising a large force of cavalry and horse artillery, after clearing the Upper Doab and saving Agra, had marched down through the Middle Doab without meeting serious opposition, and was

only prevented from occupying Futtehghur and completing our possession of that part of the country, by the order to proceed towards Lucknow. Towards Lucknow this column had accordingly gone. From the other direction there had arrived at Cawnpore several of the fresh European regiments, originally destined for China, and of the regiments released from Bengal by the arrival of others to take their place. A strong force occupied Alumbagh, the remainder were fresh and ready at Cawnpore, and more were daily arriving by train. Within Lucknow itself was the considerable garrison, formed by the union of the forces of Inglis, Havelock, and Outram. In short the Commander-in-Chief took the field with a force such as had not been seen since the commencement of the outbreak, when the better part of the work seemed to be already done, and a great army, despatched from England to our aid, and then landing in Calcutta, formed a reserve exceeding our most sanguine hopes.

"Nor was it in physical force alone that we then seemed so vastly superior; our moral prestige was immense. We had been everywhere successful. We had carried on the war with a dash and vigour which struck terror into the Asiatic mind. In the fearful storm which had burst upon us the best qualities of Englishmen had been developed in a degree of which their countrymen will ever be proud. They saved the Empire, contrary to all rule and ordinary calculation of chances. In those days for once red tape was rudely thrown aside and individual energies found wide scope. Undertakings which might have appeared under other circumstances brave temerities were rewarded by a uniform success which seemed to prove them to be in fact justified, and showed the vast difference between our British stuff and that with which we were contending in a servile war. While the enemy never succeeded in open war, they appeared to be alike wanting in all the arts and resources which sometimes avail the party physically the weaker. They attempted no guerilla system; there was among them no individual action; our supplies were not cut off; our communications were not interrupted, except in countries of which we were wholly dispossessed; our travellers were not intercepted. Up to the very gates of Lucknow our convoys were constantly proceeding with a security unexampled in war. The most tempting opportunities of harassing us were neglected to a degree which enabled us to calculate with reason on the normal supineness of the enemy. In short, in every way, physically and morally, it then appeared clear that we were up and the rebels

were down, and nothing has since occurred to show that that estimate of the position was not a perfectly correct one.

"In spite, too, of all that had happened, the resources of the ponderous Indian Government had not been in any way exhausted, and it certainly has been surprising to observe how completely this new English army, arriving in the field with no *matériel* but their rifles, has been supplied with tents and carriage, and commissariat and servants, and everything else, so that, in fact, they have never wanted or been delayed by the absence of any of these things; nor has any English soldier throughout the campaign suffered any one of the privations which he well knew in the Crimea. . . . Take the position in the beginning of November, as before described—our arms triumphant, the enemy defeated, dispirited, and supine, and a large force ready to proceed against the remaining focus of rebellion, the unfortified town of Lucknow, the strongest post of which was held by our own garrison, while fresh troops were arriving daily at Cawnpore, with the assurance that they would be followed by 50,000 as good as they. Just then the lead was taken by the popular Highland General—no carpet knight—but a true soldier, ready to ride and sleep in his leathern breeches and in every way to rough it with the roughest of common soldiers. Add to this, that the season was to the very day the most favourable for the commencement of an Indian campaign. On the 1st of November Sir Colin Campbell had before him six months of weather more favourable to the health and comfort of troops than perhaps any climate in the world. Take then, I say again, all this, and who will say that those were not justified who on the 1st of November thought that the crisis was over, and that there remained but a triumphant extinction of the fading fires of the Mutiny, and a few months' rapid detached work, hunting up the fugitive mutineers till they were reduced to the state in which a mere police could deal with them. The General, it is true, magnified the work before him, but, when the prophet is in a position to work out his own prophecy, its fulfilment does not necessarily imply inspiration, especially if it has been his habit to make similar prophecies.

"When the Commander-in-Chief took the command at Cawnpore he did not rush to the relief of Lucknow with quite the hot haste expected by the victors of Delhi. But a delay of ten days was not much. Doubtless he had his reasons, and by the middle of November movement had commenced, and all were in spirits. All went well. One after another the strong positions of Lucknow so often contested—the Dilkoosha, Martinière,

Secunderbagh, Shah Nujif, Mess-house, etc.—fell into our hands. The garrison was relieved and the forces united. Our guns opened on the Kaiserbagh. In short, we had all but reached the point at which subsequently in March the enemy ceased to fight. . . . In all human probability, then, if in November the attack had been continued for another day Lucknow must have been ours with little further loss; and Generals Havelock and Outram were for continuing it. But Sir Colin Campbell thought otherwise, and decided to retire, to the surprise of the army. The retreat was no doubt executed in the masterly style so enthusiastically described in the despatches; and, above all, General Windham's mishap at Cawnpore rendered the Commander-in-Chief's arrival there so opportune as to furnish a very strong *ex post facto* justification for his withdrawal from Lucknow. So people said, "It is very hard, but the Commander-in-Chief must know best." . . . This relinquishment of Lucknow in November has given the whole tone and character to the subsequent war and the present position. It is the great pivot on which turns the whole of what follows and is to follow. From that time our enemy, beaten and dispirited, could well again flatter themselves that they held the position of victors. They saw the Commander-in-Chief of the British forces retire and leave them in possession of the positions so long contested. They found there the heavy guns, which, unable to carry away, we had rendered unserviceable, and a large store of serviceable shot and shell, of which they were much in want. They even found much personal property and the records of our offices and other things which we had not carriage to remove. In short, they had all the insignia of triumph. From this time, then, the regiments already congregated in Oude became more plucky than ever; the Delhi regiments rallied. The Talookdars of Oude, slow to rise, and still doubtful of the result, and half anxious to keep aloof, became confirmed rebels; and a native Court was established, which for the four following months presided over a defiant kingdom and great army, while fortifications arose around Lucknow. Thus, then, it happened that throughout that very cold weather, in which we had hoped to see the revolt extinguished, it uninterruptedly gathered strength in the kingdom of Oude.

"But, to leave that matter, misfortune as it was—I do not presume to say error. After all, but *one* month of the cold weather was gone; the English troops were pouring in, and the disappointment about Lucknow did not lead to dispiritment. Sir Colin arrived in the very nick of time to snatch, as it were,

its victory from the Gwalior contingent, and the attack was ordered for the next morning. But it was countermanded, and during the next week the enemy remained in apparent triumph in Cawnpore, firing long shots into our camps, doing vast damage to the station, which even the Nana had in comparison spared, and grievously bullying and squeezing those natives who had adhered to us, or furnished our commissariat. The moral effect of this position was immense. It seemed as if the enemy had not only driven us from Lucknow, but taken Cawnpore in the face of the Commander-in-Chief.

"At last Sir Colin went out against the contingent. He used against them from a distance an artillery so powerful that they took themselves off in confusion, and so careful was the cautious General, that when his men went in pursuit they not only could not see the enemy, but could not even find which way they had gone. But they left their guns behind them. So a great victory was proclaimed, and still the faith in Sir Colin did not falter. Only now for the first time were to be heard in military circles one or two isolated and treasonable persons who secretly averred that the victory of Cawnpore was a humbug, and that the Commander-in-Chief had entirely missed the opportunity of punishing the enemy. 'At any rate,' most people said in reply, 'we are rid of the Gwalior contingent; *they* will not again trouble us; only a few have escaped to Calpee, and the pursuing columns will soon finish them.' Calpee is forty miles from Cawnpore, and there is a good metalled road all the way. It was a great commercial point where many roads meet, and, standing on the banks of the Jumna, it is a position to dominate the central Doab. The Jumna is in the cold weather in many places fordable, and everywhere bridges of boats are easily run up. There was at Calpee an old fort then fallen into ruins and indefensible. Of all points it seemed the last at which we should allow an enemy to rest and gather strength. No one doubted that it would at once be occupied, the Gwalior fugitives dispersed, and the magazine which they had left there appropriated. Strange to say, Calpee was not occupied; and not only was it not occupied then, but in none of the lulls of the campaign, during which a brigade might have settled Calpee in a week, has this ever been done. No; Calpee, overlooking our communications, has been left for six whole months in possession of a contemptible enemy, who have constantly prevented our settlement of the Cawnpore and Etawah districts, cut off our police, insulted our pretended re-establishment of power, and given to our oldest and best provinces all

the horrors and uncertainties of a continued civil war. Nothing can be conceived more wholly inexplicable. If Sir Colin was not settling Calpee, or any other place during our glorious Indian month of December, what was he doing? Only, as far as we know, *nothing*. He was always going to move in two or three days, but the days expanded into weeks, and still nothing had been done. So, the second and best month of the campaigning season slipped away. But all this time the English troops were still pouring in, and the army was becoming complete, and such as India had never seen. People still said, 'Sir Colin must have his plans; when we *do* begin we *shall* smash them with a vengeance!' And though many became very impatient, few ventured to condemn the policy of the General. With the new year the grand army was in motion. It seemed rather surprising that the main body, under the Chief in person, was moved against Futtehghur, not supposed to be a *very* strong post of the rebels. But there was probably some ulterior object, or the Commander-in-Chief might have better information than the public. It did, however, so happen that a second column from the old Delhi force coming down country with carriage and supplies encountered the Futtehghur forces, defeated them, and captured most of their guns. So it was only left for the Commander-in-Chief and grand army to march into Futtehghur, after no more than a petty skirmish, and find the enemy gone. They were there joined by the new and victorious columns which Delhi thus added to the Chief's army. There was then in and around Futtehghur a force of which any prince might be proud. All India was breathless to see its achievements. What did it now do? Again simply *nothing*. The Commander-in-Chief paused and paused at Futtehghur, and at last it became known that it was determined to order down a siege train from the Agra magazine. That train might be expected at Cawnpore early in February, and then we should go at Lucknow. But January was gone. Yes, indeed, another of the very best months was lost to us; and some there were who began to get seriously alarmed about the delay. Still the climate was delightful, the military pomp exhilarating, the grand attack on Lucknow impending, and even yet most people had faith in the Chief.

"January was gone and February came—the last month of the cool weather. The Commander-in-Chief and his army retraced their steps to Cawnpore, and he was where he had commenced in November; but infinitely stronger was his force, and tremendous his artillery, for the new siege train had arrived.

Did the Chief now act? No, not a bit of it—not he—foolish people should not hurry *him*. Day after day, and week after week, and still the long rows of white tents stood motionless, or made but very petty and partial moves, while the sun got warmer and warmer, till at last February also was actually gone, and still nothing was done. By this time, in truth, those whose faith in Sir Colin was not very strong could stand it no longer, and began audibly to swear. The cold weather was gone, and the heat was upon us, yet the campaign not really commenced.

"The Commander-in-Chief and his army, it was said, had spent the cold weather in marching from Cawnpore to Futtehghur, and back again. And so, in fact, literally they had. But still in the camp at Cawnpore there was Sir Colin in his old tartan shirt sleeves, the very picture of a flourishing and successful ostler, and completely the cock of the walk. Who would there venture to criticise his orders, or have an opinion of his own? The Chief seemed to have no misgivings. There he was, at the head of such an army as he had often unsuccessfully demanded, but had now got in earnest, and he would lick the enemy at his own good pleasure.

"With the warm month of March at last came action. The army moved forward into positions before Lucknow. General Franks and Jung Bahadur joined, and operations were carried on against the town. There was no foolish precipitancy. Day after day position after position was occupied, and at last, on the 15th of March, it was evident that the enemy was flying in crowds. The General enthusiastically telegraphed, 'Lucknow is ours; the enemy fly; two columns of cavalry start in pursuit; a brigade of infantry follows to-morrow to Seetapore; this is the direct route to Rohilcund.' That, at any rate, seemed cheering; Sir Colin was himself again. But he became alarmed at his own rashness. Somebody told him that somebody said that the enemy were still barricading the streets in the further part of the town, and so, in spite of the telegram, the brigade for Seetapore did *not* start, and the two columns of cavalry having gone a little way and having *not* seen the enemy, who had gone off the night before, were recalled; the General waited till he was *quite* sure that the enemy were well out of the town, and when there was no doubt of the fact, he took possession. So ended the seige of Lucknow. There was scarcely any further pursuit.

"The public disappointment at the inadequate results of the assault of Lucknow was excessive, and now, at last, criticism

broke forth with considerable freedom. It was said that Sir Colin carried caution to a monstrous pitch, and it was felt that we were rapidly getting into the hot weather with very much before us. Even yet, however, there was consolation for another month; if it was hot, it would not be so much so as to be unhealthy; the great force was thoroughly fresh, much might be done in that time. We were at least undoubted victors, and delay was now impossible—the season made it so. Little did his critics yet know Sir Colin—little did they think that his fine independent spirit had it in him, as if in mere defiance of time, circumstances, and clamour, coolly and deliberately to sit down for another month—that only other fairly practicable month—and to do still literally nothing, till the time should come when he should be forced to lose by the sun ten poor European boys for every one his previous caution had spared.

"Yes, in fact, after the capture of Lucknow, occurred another whole month's astonishing delay. . . . It must not be supposed that any deficiency of carriage, or commissariat, or ammunition, or anything else, impeded the march of the troops. The army was accompanied by all the resources accumulated throughout the cold season, and of which very little had been expended. Every regiment had its full marching establishment of every sort and kind, and there was abundant spare carriage. The commissariat was overwhelmed with an excess of supply, sufficient to keep the army for many months, of which, indeed, a great portion was subsequently sold off when not wanted; and as to ammunition, most of the siege equipment was sent back to Cawnpore. There was no allegation of any particular cause for delay. Sir Colin took it coolly, and occupied himself with arrangements at Lucknow.

"Meantime the mutineers and rebels had in every direction begun to rally and take courage from our delay. Inaction was interpreted into weakness. The natives are, at the same time, the most inventive and the most credulous of men—the most preposterous stories were circulated and believed. 'We had got Lucknow, it was true, by a trick, but we were used up in the effort. There were hardly any Europeans left—where were they?—no one saw them. Killed or sick, the Sikhs were about to mutiny, and with the Goorkhas the rebels had a perfectly good understanding. The Nana's brother, after completing the conquest of Southern India, would soon arrive to assist in the retaking of Lucknow, and the ruler of Rohilcund was about to annex Delhi, while Koer Sing, after gaining a great victory, was well on his way to Calcutta, and would intercept the retreat

of the Europeans and burn their ships.' . . . The Commander-in-Chief had spared his soldiers in the cold weather to sacrifice them in the hot winds. The last accounts seem to show that the work into which our troops had been forced in May was telling on them most cruelly. Here is the result of Sir Colin's campaign, with all the power of England at his back :—

"November.—Cawnpore to Lucknow, relief of garrison, abandonment of Lucknow, and back to Cawnpore.

"December.—Nothing.

"January.—To Futtehghur ; would have beaten the Nawab, but Colonel Seaton had done it beforehand.

"February.—Back to Cawnpore and nothing.

"March, 1st to 15th.—Capture of Lucknow, and escape of enemy. 15th to 31st—Nothing.

"April.—Nearly nothing. Several small successes and increasing boldness of the enemy.

"May.—Capture of Bareilly and escape of the enemy. Repeated combats at Shahjehanpore. Lucknow surrounded by the rebels. Doab disturbed and plundered. Benares districts invaded. In Behar guerilla war maintained by the enemy. Great loss of Europeans from the sun.

"Perhaps all this may seem incredible. It may be asked, do you suppose, then, that Sir Colin has been bribed by the mutineers, or promised a decoration by Russia ? The explanation of his conduct I believe to be this—that he is simply a man of one idea, and that, freed from control, he has given scope to that idea to an extent to which the fickle popularity which enabled him to defy criticism has not a little contributed. He is not a man of any size of intellect or force of thought, but simply a good downright soldier risen to be a general. Like most men of little science placed in a great position, he has an exaggerated notion of strategy, and one most especially unsuited to the present war ; but he sticks to it till he becomes, under the personal disguise of a totally opposite character, the veriest of military pedants. There is no bound to his professional jealousy and exclusiveness. No High Church bishop, no solemn physician of the old school, ever so firmly held that if we are to be saved or cured, it must be in the orthodox way, by the regularly ordained or licensed channel. After all, the English public has much to answer for in the matter. It is always in extremes. Generals are either Gods or idiots ; distance lends enchantment to the view, and it happened that Sir Colin was put among the Gods. 'Don't shackle your generals,'—that was the cry. The character of the Government was to be judged by

the opinion of Sir Colin and his chief of the staff—the task-master by the verdict of the workman. Why this excessive liberality, so different from that exhibited to Crimean generals? Why were all military arrangements necessarily wrong in the Crimea, necessarily right in India? Distance may have a good deal to say to it; but there is yet another and more potent reason. The people of England are not as yet called on to pay the bill for the Indian war. War and excitement are most pleasant and acceptable things when obtained at other people's expense. The presentation of the bill makes a vast difference. During the Crimean war every man in England felt acutely that he was himself carrying it on; the income-tax made him sensible of that, and he carefully scanned the results. But as regards India he can unrestrainedly give himself up without regrets to military enthusiasm. If this war had been defrayed by an income-tax, would all these long delays have been borne with such exemplary faith and patience? I trow not.

"A Disabled Officer."

FURTHER APPENDIX TO CHAPTER VI

Being extracts from letters or accounts sent to the "Times" and published in 1857; *see pages* 289 *and* 305 *of Volume I.*

The Capture of Delhi.

Delhi, 26*th September* 1857.

I am told on very competent authority that, from a mere artillery point of view, the place is stronger than Bhurtpore ever was; and yet it proves that our main difficulty was inside, not outside Delhi. . . . Street by street some of the enemy contested every foot of ground and occupied position after position with a courage worthy of a better cause. In fact, we may well congratulate ourselves that we did not attempt the storm with an inferior force. There is no doubt that on our occupation of a part of the city our army became disorganised to a degree which was highly dangerous when the battle was but half won. Whether the collection, in the part of the town which we first assaulted, of vast quantities of wine and spirits (the produce of

the plunder of a long line of road on which those articles are the main staple of European commerce) was really the result of deep strategy on the part of the mutineers, I cannot say, but it does seem as if the only common bond which unites the various races fighting under our standard is a common love of liquor, and Europeans, Sikhs, Goorkhas, and even Afghans are said to have all indulged to an extent which might have been disastrous. In truth, the days which followed the first assault were a time of great anxiety. Our progress was slow; the number of men whom we could bring into action curiously small, and the abandonment of the positions held by the enemy was, I believe, a relief to the generals, even though we did *not* exterminate the mutineers. In fact, I believe that the bridge of boats was purposely left intact by our batteries; we were well content to leave a bridge to a flying enemy. I do not think that the enemy were actually forced out by our shells. I was surprised to find how little damage was done by them.

The walls of the Palace are almost intact; so are by far the greater portion of the buildings inside, and it is quite clear that the chances were yet very much in favour of such as chose quietly to sit in them. In fact, I fancy that our mortar batteries were by no means very strong, and not sufficient to do effectually such extensive work; but both the Sepoys and the King's party had had enough of it. The fire was, no doubt, hot, and was becoming more so, so they retreated . . . . and the city of Delhi is completely ours.

For the taking of Delhi I believe that General Wilson, slow, cautious, calculating, and, purely an artillery officer, has been the right man in the right place, and that we have been very fortunate in him. He is neither a square man nor a round man, but a very peculiar man, who has found his place in the very peculiar situation before Delhi, and, amid much to perplex, has very steadily held his cautious course, till by a favouring Providence he has at last triumphed. . . . Delhi has been completely emptied of its population and thoroughly gutted. The rows of empty houses and scattered remains of property present a strange spectacle. . . . I believe that in all the history of this world of ours there is nothing that surpasses the most strange spectacle of Sikhs and Afghans—whose country we so lately and with so much bloodshed occupied with armies of Hindoostanees—now under our banners sitting bloody and plunder-laden in the Palace of the Moguls. Yet these men are by far the most conspicuous occupants of Delhi, and to them we chiefly, in the exhausted state of our European troops, look to enable us to

reoccupy our lost provinces of Hindoostan. They have served us so far with the most complete fidelity. In the course of the siege they have been indispensable to us. . . . In their drinking and plundering propensities and somewhat impaired discipline they hardly differ from the Europeans, whom they allege to be their models in these particulars. . . .

Taken as Delhi at last is, the fact will no doubt be in some degree a relief and support to those who have all along pooh-poohed the danger; but I do still most seriously maintain, not as a mere figure of speech, but in sober earnestness, that the successful termination of the siege has been in spite of very unfavourable chances; that if we were to begin again under similar circumstances, the chances are three to one we should fail; that, failing, all the Europeans in Northern India must have been exterminated, and our rule and name utterly obliterated from thence, and then every native state in India must have thrown off our yoke. Through Rajpootana, Central India, and the Nizam's country the flame must inevitably have run, and then who shall say whether we could have held the maritime provinces of Bengal, Madras, and Bombay, and reconquered India? It must be remembered that to take Delhi we have been obliged, besides completely abandoning the whole of the North-Western Provinces and all the native states adjacent to them, entirely, we may say, to denude the Punjaub and Scinde, and to put arms into the hands of every Sikh and Afghan soldier we could find. It has been necessary to keep our army exposed, without any cover whatever beyond very scanty canvas, for the four hottest and worst months of the hottest part of the hottest country in the world, and to encamp them on a very pestilential spot. During all those months our troops have been continually defending themselves in an undefended, exposed position, against a vastly superior, never-tiring enemy—and there has been exacted from our soldiers an amount of hard labour and exposure which it was hitherto altogether incredible to us that any European frame could stand in such a climate. I cannot see that there was any fair opportunity of taking the place sooner than we did. And to enable us to hold out during these four months who could have calculated on so unprecedentedly, I say advisedly—*quite* unprecedentedly—favourable a season? Who could have calculated on so extraordinary an absence of sickness? Who would have dared to be confident of the constant fidelity of all Sikhs and Afghans during so prolonged a period—our power frustrated, our only force so long checked before Delhi, and their country, in fact, altogether intrusted to

their own keeping, together with the army hitherto used to keep them in subjection now either rebels or prisoners in their hands? . . .

I was talking this morning to a very independent-looking Resaldar, who seemed to be treated by his men much more as they do a European officer than is ever seen in our service, and who bears himself as the inferior of no one, and I found that he had been long a colonel of artillery in Runjeet Sing's service, and very openly went through the part he had taken against us in the revolt of 1849 in that capacity. . . .

Many papers were found in the Palace at Delhi (even the natives have retained our partiality for paper work), and from them it would appear that the kind of government established for the city and immediately surrounding country was more of the nature of a military than of a Mahomedan government. It seems to have been a sort of constitutional monarchical milocracy. The King was King, and honoured as such like a constitutional monarch; but, instead of a parliament, he had a council of soldiers, in whom power rested, and of whom he was in no degree a military commander. No Arabic or Persian names, forms, or terms appear to have been introduced; but, on the contrary, the English terms and modes of business were generally adopted. The extent to which English terms are used sounds very absurd. All petitions seem to have been presented to the King, but the great authority to which almost all of them on all matters both civil and military were referred (by order endorsed on the petition) was the "Court," a body composed of a number of colonels, a brigade-major, and a "Sekuttur" (or secretary), which latter functionary seems to have been the most important personage in Delhi. All the colonels, etc., were Sepoys who made their mark, or, at best, signed in rough Hindoo characters. Very regular muster rolls of regiments were kept up and authenticated in due form by the colonel, adjutant, and quartermaster.

I had not time to study the various papers, but I imagine that a very interesting, useful, and amusing selection of them might be picked out for publication. One Sepoy colonel seems to have presented to the King a kind of memorandum on the best mode of administering the country after getting rid of the Feringhees. First and foremost, he advises His Majesty to collect as much money as he can from any quarter, by any means whatever, as a capital to start upon. Second, he says that there is no doubt that, with all the faults of the English, their Government was the best Hindoostan has ever seen, and he proposes that the future

administration should be based on their model; and then, in many headings, he goes into details evincing considerable thought and shrewdness. I have in my pocket a petition from a man who sought to be appointed collector of the district in rear of our army on a solemn pledge that he would collect the revenue and stop the supplies of the Europeans, or, if not, would submit to be blown from a gun; but the prudent order is "to be considered when the hill (the British position) is taken!" There are many communications from native Princes, who either promise or temporise much.

From all I can hear and gather, especially from the papers in the Palace, and from the conduct of the mutineers, particularly at Bareilly, in taking the titles of our officers, imitating their staffs, riding in their carriages, and appropriating their tents and equipages, I am more and more inclined to infer that whatever there may have been of Mahomedan conspiracy, Hindoo religious panic, and military or political apprehension, one of the main, if not *the main* object of the Mutiny, either in its origin or in its spread, was the very simple and not unnatural one—a desire on the part of the influential Sepoys to step into the shoes of their European officers. They liked our system altogether, but they preferred being colonels and adjutants to being sergeants and corporals; and, with the usual self-sufficiency of natives, they imagined that they would make very good colonels and adjutants, and jumped at the opportunity of effecting that object and more besides by transferring their allegiance and the whole army, with its old organisation, to a native sovereign, the first who came to hand. Though the Mahomedan element did not prevail in Delhi, Mahomedan administrations have sprung up in some of the provinces abandoned by the Sepoys; but I do not know that they have generally got the better of the Hindoos and obtained possession of anything like whole districts. On the contrary they are almost everywhere opposed. In the territories over which we retain some partial hold there have been latterly one or two purely Mahomedan risings, quite distinct from mere *émeutes* of plunderers; but I am not sure that some of these may not possibly have been in some degree provoked by our hostility to Mahomedans, and I still do not think that there has been a general revolt of the Mahomedan population. Their hearts are, no doubt, in great measure with a Mahomedan sovereign; but while many have gone over, many more have remained neutral, and some have remained faithful. . . .

The serious danger is, lest our present violent feeling against the Mahomedans should drive to despair that great section of the population, and induce a really general Mahomedan revolt. We

must trust to the vigour and discretion of Government to avert that danger.

Our great difficulty in this part of India at present is the want of any head, civil or military.

The consequence is a singular want of unity of action. The General at Meerut is senior to the General at Delhi. Though distant, General Gowan exercises a nominal seniority over all; it is hardly felt. Every commander at each different place is nearly independent of every one else, and no common plan can be settled. Nearly so is it in civil matters. The civil servants at Meerut are independent of those at Delhi; those of the Delhi division are independent of one another. The interrupted communications, abnormal state of all things, and summary forms of procedure have considerably relaxed all discipline and subordination, and left every man pretty free to do as he chooses.

BULANDSHUHUR, 1*st October* 1857.

I was prevented by the excitement of grapeshot (that somewhat mixed and doubtful pleasure) from finishing and despatching my letter on the day I intended. I took my passage down country with the brigade or movable column which was leaving Delhi, being a part of the force included in my former enumeration. The following portion of the army has been sent forward: —About 450 European and 1100 Native Punjaubee, say 1600 Infantry; about 900 Cavalry, of whom the 9th Lancers are about 370 strong, the rest Punjaub Cavalry; two troops and one horse battery of Artillery, 16 guns, and some Sappers. Altogether a very good force. But a large proportion of the European Infantry went into hospital in the first two days, and they are evidently quite unequal to active service. The rest of the force are all right.

For the first three marches nothing particular occurred, with the exception of the burning of a notorious Goojar town. The fourth march was to bring us to the stronghold of the notorious rebel Nawab Maludad, of Malaghur, a connection of the King of Delhi, who, on the strength of a mud-fort and some little old guns, the reward of his grandfather's good service to us in former days, had set himself up in this part of the country, and had never been attacked by us, though worsted by a Jat village in his neighbourhood. He had latterly been joined by the Jhansi brigade of mutineers, the 12th Native Infantry, the 14th Irregular Cavalry, and three 9-pounder guns, for the mutineers seem to stick together in brigades according to the place or part of the country where they mutinied. Latterly, also, the brother

of the Nana of Cawnpore had joined with some followers. The brigade occupied the neighbouring town of Bulandshuhur, but we did not believe that they would have the temerity to oppose our greatly superior force. When we approached Bulandshuhur we learnt, however, from villagers that they were still there, posted outside the town, with the three guns in position down the road, and coming up with the advanced picket we had a good look at them before our guns arrived. I never was in a regular action before, and know not the points by which to judge artillery matters, but I certainly was astonished to find, as we got gun after gun into action, till at last we had twelve or thirteen to their three, how very well the mutineers fought their guns. In truth, it may seem strange, but it is certainly the case that, while we somehow or other never seemed to hit their guns, and fired away endless rounds for a very long time without producing any visible effect, they very speedily managed to disable one of our guns and a waggon, poured in a very hot fire of grape, and killed and wounded a number of our men and horses. It was only after maintaining a most stubborn fight for a very long time that they withdrew two of their guns and retreated, leaving one gun and five dead Sepoys in and about the battery. It was, I believe, an accident, but certainly the result has been very much to raise my idea of the way they can fight; and it does make one reflect how great may be the resistance which they may offer in fights of this kind here and there about the country. Though their guns happened to escape our fire, it was evident from the marks on the trees and on the building in their rear that the fire of round shot on their position must have been terrific, and such as one could hardly believe even Europeans would have stood against. The fact is, our infantry should have gone in almost at once. When they yielded, our cavalry and infantry pressed on. The Lancers were a good deal punished in the town, but a great many Sepoys were cut off, found in houses and killed. The cavalry also killed some of the horsemen fighting them on either flank, and so they were driven out of the town with considerable loss, and leaving a good deal of plunder behind them, while we lost in killed and wounded 47 men and 49 horses.

We have thus at last recovered one district station beyond Delhi, and, as we believe, with the station the district; so we trust that the tide has turned, and that the rest will follow. We hope that we shall not meet with opposition difficult to overcome from any portion of the fugitives from Delhi as we proceed down the Doab. I fear, however, that we shall not be able to reoccupy

the Doab districts of the Agra division without detaching a great portion of our present force, and that the assistance we can render to the forces below must be confined to some mounted troops. In infantry we are ourselves very weak, and the European nucleus of that arm is not only physically but morally deteriorated by their prodigious labours and losses. Let it not then be supposed that it is possible to relax any effort. A great work lies before England. Anglo-India has nobly done her part —the mother country must do the rest.

To regulate the conduct of our functionaries, civil and military, in the territory which we recover, to introduce again some centralisation of system and uniformity of principle and practice, to punish with a vigorous hand the guilty, to shield the innocent, to guard against the effects of prejudice or passion, to prevent unfair or inexpedient persecution of any section of the population, or indiscriminate plunder of those who are still our subjects, to reorganise government and render possible peace,—all this will, indeed, require a master hand, guided by a master mind. God grant us the man for the place. In truth, as yet we must feel that it too much depends on each individual officer, and the natural exasperation on our part is so great that to many men comparatively ignorant of the country, who must necessarily exercise great power, it must be very difficult to distinguish between the movers and the victims of the rebellion. Especially, it may not be always borne in mind that, throughout, the rising has been in every sense most emphatically a military mutiny in its outbreak, little shared in by the mass of the people. Civil anarchy has been but the consequence and civil rebellions the episodes of the great military outbreak. God forbid that the guilty should be spared: on the contrary, to put down the rebellion they must be pursued with a system and success such as we have not yet seen. Again and again I say, we must exercise the most unflinching severity; disagreeable as it may be, it is quite necessary. But, if the country is to be ours and the natives our subjects, it is at least as necessary that we discriminate and take care that, because for the time we fail to catch the guilty, we do not punish the innocent instead.[1]

CAMP OF THE MOVABLE COLUMN SOUTH-EAST OF AGRA,
16*th October* 1857.

I don't think I have ever mentioned a notable and somewhat absurd feature of the rebellion—the electric guns; but they are

[1] Government have subsequently taken several measures of precaution.

so continually before me that I must disburden my mind of them. To preserve the electric telegraph posts they were protected by enormous iron screws, into the hollow of which the poles were inserted. It struck some ingenious native to make these into cannon. A hole was drilled near the apex, sometimes some iron bands were put round to increase the strength, the piece was then mounted on a small gun-carriage made for the purpose, and the result was a "tope" (or cannon)—that great instrument of terror to the minds of natives. The plan has met with vast favour, and these guns swarm all over the country. There is no end to the number of cannon now said to be in every one's hands. They are loaded with a rough grape, and are certainly fired. Whether they ever do any execution I cannot say; they sometimes burst, but also they are certainly sometimes fired without bursting. I believe the effect is principally moral, but it is a very ridiculous perversion of our most recent progress.

To return to our history. On the 5th we occupied another district station, Alighur, where a party of fanatic Mahomedans had the temerity to make a stand with two real guns of native manufacture, and a park of electric guns. They were dispersed in a few minutes, when the Horse Artillery galloped up, and very many fugitives were cut up by the cavalry. Next morning the irregular cavalry made a raid on the headquarters of two rebel Thakoors, caught them in the act of decamping, and cut them up with their followers; after which their town was given up to fire and plunder. So the district of Alighur was pretty nearly recovered.

Meantime the main body of the beaten mutinous army from Delhi, which had made some stay at Muttra and set up a bridge of boats there, had crossed into the Doab, and, consequent on the delay in our progress, we found that they were here two long marches ahead of us. They had 22 guns, but (as we are told) very little ammunition and a vast quantity of plunder. They were in a very confused and undisciplined state, though their numbers were undoubtedly very large. They were understood to be going, part of them to Bareilly and part into Oude—to Lucknow and Cawnpore, they said. They showed no disposition whatever to fight us; on the contrary, the direct road to Bareilly was given up, and they hurried down the Grand Trunk Road in a body. There remained of the regiments which retreated from Delhi only the Neemuch brigade (which had formerly attacked Agra). These, under one Beera Sing, declined to join the others, and they marched to meet the Mhow brigade, which had never been at Delhi, but, after some stay at

Gwalior, had separated from the Gwalior contingent and crossed the Chumbul to Dholpore, where they had obtained or taken from the Rajah three large brass guns to add to their own field-pieces. The two brigades uniting formed a considerable force, with much cavalry and 13 guns, and they threatened Agra with a second attack. The movable column was therefore urgently called for, and, making a very long forced march, it wound under the fort, a gallant spectacle, gladdening the eyes of the long-isolated garrison, amid their hearty plaudits. The troops bivouacked on the cantonment parade-ground, awaiting the gradual arrival of their tents and baggage, on that morning of the 10th of October, and the greater portion of the officers dispersed to see and breakfast with their friends in the fort. Now, Agra, the headquarters of the Civil Government and of a crowd of refugees, was full of purveyors of intelligence, official and non-official. There was nothing that happened for a long way round of which fifty safe people had not their own particular and circumstantial intelligence. The military arrangements for guarding against surprises, stratagems, and treacherous enemies were also the most perfect ever known. The authorities managed to make the lives of their friends thoroughly miserable by the excess of their precautions. It was impossible to go anywhere or do anything without being harassed out of one's patience.

Well, on this morning of the 10th, for the first time in the history of beleaguered Agra, *all* the newsmongers were of one accord—they had all certain intelligence that the mutineers, after threatening to cross the small Kharee river, ten miles distant, had failed to do so, and retreated, and were then six miles on the other side. It was also found that they were unable to get the big guns over the river. They were clearly making off on hearing of the approach of the column. So, friends arrived, enemies flying, an impassable stream between, and military precautions unrivalled, it well might be that all Agra breakfasted that morning in peace and security, with relieved minds and grateful hearts. But suddenly, while breakfast was in every man's mouth, a big gun was heard, and another, and another, and many more; people started—"Oh no; it must be a salute, though rather irregular." Still more guns; then people were seen hurrying from cantonment—the camp was attacked. Yes, so it was. Among their many ingenious precautions the Agra authorities had neglected one very simple one—viz., to send some one with his eyes open to look down the road, and the enemy had quietly marched in, big guns and all, and there was not one signal of alarm till they actually opened fire on our

disordered camp and knocked down several men and horses. Then there was of course a scene of wild confusion. There was no command and no anything, and camp followers and horses fled in all directions. If the enemy's cavalry and infantry had then pushed in the result might have been most disastrous, but, native like, they first waited to see the effect of their big guns. That delay was fatal to them. Our guns got into action, our cavalry mounted, and when I galloped up to the ground we were returning their fire. Then their cavalry did charge right into the parade in a great "gol" (or ball). But they were too late. They took a detached and disabled gun for a moment, and they were so completely among us that the artillery could not fire on them. But the tired Sikhs sitting on the ground formed square with the utmost coolness, and fired well into them. The Lancers were ready, and charged at them as the Lancers can charge. They were broken and defeated ; yet some of them did actually sweep right round the camp and cantonments, and created such a panic among the general population as scarce was seen—every one riding over every one else in the most indiscriminate manner ; in fact, there never was and never will be so complete a surprise. But by this time commanding-officers had come on the field, and every arm was in action. Our artillery fought nobly—in fact, all did ; and though it was some time before we could find exactly where we were and where the enemy was, and they attacked on three sides at once, eventually they were repulsed and began to retreat. In fact, I think it must be that in surprising us they surprised themselves. They could hardly have known what they were attacking, or surely they would have made a better stand. Once they were repulsed, it was all over with them.. After the charge their cavalry never showed but in the distance. As soon as they were clearly in retreat we followed, and before we had gone very far they had abandoned their three big guns, and their retreat approached to a flight. Here was enough for a moderate man. Our troops, it might be fairly said, had had enough of it ; a halt was ordered. But another sort of man came into play in the right place. In Agra, the command was taken by Brigadier Cotton, called "Gun Cotton." He would not halt, and pushed on with fortunate dash. Speedily the enemy were completely dispersed and routed, and they hardly returned our fire. Their infantry merely showed at the edges of the fields and then fled through them. Soon we found and took their camp, then we came on their baggage, which they gradually abandoned. Our Horse Artillery from time to time galloped up and opened fire ; then

that became unnecessary, and small bodies of cavalry continued the chase. Eventually ten or twelve well-mounted officers made everything fly from the road, while the cavalry hunted up the fugitives on either side. Never was dispersion more complete. All the guns (13) and baggage were taken, and no six of the infantry went away together. Those who saved themselves did so by hiding in the high fields, and they were no doubt numerous. There was, in fact, an end of the Mhow and Neemuch brigades, excepting the fugitive cavalry, and, after a ten-mile chase, the troops returned to relieve Agra. The Sikh cavalry behaved admirably.

The state of things is now this:—there is no open armed opposition of any considerable forces north of the Chambal river. In Gwalior, the Maharajah still keeps aloof from the mutineers with his own troops and some of the contingent whom he has gained over, including, I believe, most of the cavalry. Of infantry, the mutinous contingent have now but four regiments, but they have a very large artillery—about 30 field-pieces and a magazine and third-class siege train. Though they have often threatened to attack Agra, they have not done so, and have throughout followed a separate policy of their own. They are now said to be about to march on Jhansi, *en route* to Cawnpore, but we shall see. Bundelcund is, I believe, in a bad state, and a separate cold weather campaign will be then indispensable. From Cawnpore and Lucknow we have requisitions for more troops, and the column is now moving on Cawnpore. This is the second march from Agra. At Mynpooree the opposition is not likely to be serious, though the Rajpoot Rajah is hostile. At Futtehghur there may be a strong force, but we need not go there, and unless it proves that we can afford to do so we may not yet attempt to occupy the country between this and Cawnpore, or to keep open our communications behind us.

The column is in good health and spirits, but deficient in a nucleus of reliable infantry, and 200 of the cavalry are ordered to stay at Agra.—Your obedient servant,

A CIVILIAN.

Extract from an article in the "Times" of December 1857.

A descriptive account of things in India, written by an experienced observer, and despatched from Allahabad at a date so recent as the 1st of November, is not a communication likely

to lack readers just now, and we may assume, therefore, with perfect confidence, that the letter of "A Civilian," which we publish in another column, will receive all the attention which its lively style and instructive matter is calculated to command. As we have been gratified with still later reports of Sir Colin Campbell's movements, we shall not follow our correspondent in his observations upon the expedition to Lucknow; but some of his remarks respecting the disposition of the people and the general aspect of the country are too important to be passed without notice.

In estimating the character of the present rebellion and the prospects of our future administration, it must be recollected that the population of Hindoostan — apart from its regular divisions of race and caste — contains four distinct elements. Foremost of all we must place "the people" of the country, in the proper sense of the term—that is to say, the masses—the millions, who, not possessing any notable position or profession, constitute the vast body of subjects with which a Government must deal. Next to these we may take the landholders, great and small — not powerful enough to be ranked with native princes, but occasionally maintaining considerable forces of armed retainers, and always exercising some local influence. In a third class we may put the predatory tribes of the country, representing the relics of a half-extinct barbarism, and furnishing up to the present time bands of men who betake themselves to violence and plunder as a natural pursuit whenever the control of civilisation and authority happens to be suspended. Lastly, there is, or rather was, the Sepoy army—a class of which it is quite unnecessary to append any description.

It is clear that the most important of these elements is to be found in the population at large—in that prodigious multitude which tills the land, pays the taxes, and would still cover the country in scarcely diminished numbers even if all the more notable classes were extinguished. These, whether termed villagers or peasants, or husbandmen or ryots, are the real people of India—the people whose advantage we are bound to study, and without whose favour or acquiescence our dominion could never be maintained for any useful purpose. If the people are with us no other classes can successfully oppose us, and it is now conclusively proved by an accumulation of evidence that we have indeed this support to rely upon. Not only has no popular insurrection ever occurred—not only have our countrymen been almost invariably befriended in their extremity by the villagers whom they encountered, but we

receive unmistakable proofs of the fact from all sources together. So entirely professional, indeed, has been this revolt, and so completely has it been confined to the Sepoy battalions and their marauding allies, that the cultivation of the land and the ordinary avocations of peasant life have been conducted as uninterruptedly as if no mutiny had ever taken place. "Nothing is more surprising," says "A Civilian," writing from actual observation on the road, "than the way in which, amid the crash of empire, the people have this year not only cultivated, but in many districts cultivated almost as well and as extensively as ever." The remark thus made with such little qualification applies, it must be remembered, to the very scene of the revolt, and it is confirmed by a statement equally striking in the last letter of our own Bombay correspondent, who, speaking of the country between Delhi and Agra, reports "that the crops are everywhere excellent, and that, incredible as it may appear, this year's revenue is likely to be almost entirely saved to the State." Six months ago certain politicians contended strenuously against the assumption that the outbreak was a military outbreak only and not a popular insurrection, but the point has now been decisively settled. The Mutiny is a monstrous one, no doubt—serious enough, as we have seen, to endanger the safety of the empire and to evoke all the energies of the State, but it is only a mutiny after all. It is a Sepoy revolt, not a Hindoo rebellion.

The case of the landholders is less clear, though even here we find no general or systematic hostility, except in the province of Oude. It may be observed, too, in passing, that our correspondent, in his explanation of that state of affairs which is now giving us so much trouble, attributes not the smallest effect or significance to the annexation of the kingdom in question. The landholders in Oude are dissatisfied with the British Government, but their disaffection has no reference whatever to the dispossession of a Mahomedan sovereign or the extinction of a native administration. The question at issue is an exceedingly old one, and concerns merely that double tenure of land which has produced its embarrassments a good deal nearer home. In India, as in all eastern countries, the property of the soil is presumed to rest in the supreme monarch or Government. Under the Government are large landholders, and under the landholders the class of actual cultivators. The point in debate, which has been solved differently in different provinces, involves the distribution of rights between cultivators and landholders; and, as our authorities in Oude decided it in

favour rather of the former, the landholders became first dissatisfied and afterwards committed to rebellion against us, under the natural impulse of a desire to recover what they had lost.

The concluding paragraph of the letter before us will have probably created considerable emotion among our readers. As far down the country as Cawnpore, that is to say, over the districts where proceedings were likely to be regulated by the policy of the Punjaub Administration, Sepoys received their due meed of punishment, but from Cawnpore downwards, where the policy of Calcutta may be supposed to prevail, a striking change became observable. "To our horror and surprise," says "A Civilian," "we see Sepoys of the old stamp coolly walking along the public roads in broad daylight, and we find that Government seems to have taken them under its especial protection." From the remarks which follow, it appears as if the circumstances referred to arose from the operation of that famous proclamation of which so much has been said, but which was censurable rather as ill-timed than ill-devised. Our correspondent, too, betrays the jealousy of his profession by complaining not only that Sepoys roam unmolested, but that "civil rebels" are treated less considerately. There can, however, be no doubt about the main question. "The whole Sepoy race," as he truly says, "have turned on us in the most diabolical way," and as a race they should be utterly destroyed. We are not, of course, asserting that every man out of an army of 150,000 should be shot or hanged, but we do affirm that the class should exist no longer, and that the safety of our countrymen and our empire should never again be imperilled by reliance on a force so utterly untrustworthy. The "Sepoy army" must disappear—in fact, it has disappeared already through its own treason; and it would be the height of folly to reconstruct such a useless and inflammable mass. Native auxiliaries we must still maintain, and we can do so at all times without difficulty, but that particular element of Indian population from which all our troubles have arisen ought to have been extinguished under any circumstances, and should certainly never be revived, now that it is happily expiring of itself.

The Campaign in India.

To the Editor of the "Times."

Sir,— . . . The state of things in Oude requires some explanation. There we encounter not only a military, but, perhaps still

worse, a native opposition—quite a different state of things from anything we have had at Delhi or elsewhere, and it has come about in this wise. The old zemindaree question, so hotly contested ever since Lord Cornwallis's time, is, in fact, revived. Throughout a great portion of the country we found superior holders — some say proprietors, some say merely hereditary farmers, but, at any rate, hereditary middlemen—holding large tracts between Government and the cultivating communities, and responsible for the revenue. In Bengal, as we know, they were generally recognised as proprietors, and the rights of the sub-holders were reduced to *nil*. In the North-West Provinces they were generally set aside, but even to the present day there has been no more fertile source of argument and litigation than the rights of some of the most prominent of these "talookdars," as we call them. Some have obtained decrees against Government in the civil courts, and many receive a percentage in compromise of their rights, or alleged rights.

Now, in Oude this "talookdaree" system was particularly strong. Almost the whole country was parcelled out among great talookdars or zemindars, and, though under a Mahomedan Government, these men were almost universally Hindoos—in fact, native chiefs; certainly more than mere farmers—and they had obtained great prescription, exercised great power and authority, and were, in fact, the feudatories (and very often the rebellious feudatories) of the Government. They had their own forts, and troops, and guns. Under this system the village proprietary rights no doubt became much more undefined, weak, and uncertain than where the villagers hold direct of Government; and, disused and precarious, those rights were sometimes little remembered or valued. Here, then, when we took possession, was a very puzzling question. With whom was the settlement to be made? The talookdars were strong and in possession, the communities dormant, broken, ill-defined. It must take some time to suppress the one and resuscitate the other. But revenue opinion in the North-West Provinces has long run very strongly in favour of village proprietors; still stronger must it be in the Punjaub, where there is no doubt about the matter, and Oude was principally managed by officers from those provinces. I know no particulars myself, but I understand that the general result of the settlement has been to oust the talookdars and make direct village settlements. Then immediately followed the rebellion. At first the talookdars behaved well to us personally. They are men of honour in their way; with the butchery of a rabble they have no sym-

pathy ; to protect all who seek their protection is with them a point of honour. By none have so many European lives been saved as by these men. But our Government was altogether upset ; no time had yet elapsed sufficient to destroy the strength of the talookdars or to enable the village proprietors to acquire strength in, or probably even any sufficient appreciation of, their rights ; the talookdars almost universally resumed what they considered to be their own again, and seem to have met with popular support. Thus they became committed against Government, and, being committed, our severities at Allahabad and Cawnpore led them to fear the worst. Till Havelock's final retreat from his last unsuccessful attempt to relieve Lucknow they seem to have tried to temporise, but when Havelock recrossed the Ganges to Cawnpore, and it appeared that we had decidedly failed, the talookdars declared against us without reserve. Chief among them is Rajah Man Sing, and it is, in reality, a Hindoo confederacy. It is said that these men and their followers are now the most numerous and prominent of our opponents at Lucknow ; that Man Sing does not like the Sepoys, who won't obey orders and are exceedingly expensive ; and that he is for the most part besieging Havelock on his own account with 20,000 followers—in fact, with all the warlike clans of Oude at his back. Rumour has it that negotiations have been going on between him and Sir James Outram, but I do not know if there is any truth in the report. At present we have certainly no friends in Oude.

I am too recent an arrival to know much of the politics of these parts, but one thing strikes me strongly, and that is the change in the state of things in regard to Sepoys as we get down country. Down to Cawnpore it was enough to ascertain that a man was a Sepoy to treat him as an enemy. . . . But down here, to our horror and surprise, we see Sepoys of the old stamp coolly walking along the public roads in broad daylight, and find that the Government seem to have taken them under their especial protection. I do not know the exact facts, but, so far as I can learn, every Sepoy about whom there can be any doubt whatever is not only to be spared, but to be recognised as a servant and child of Government ; and all his vested rights, his pay, and his pension, and everything else, are to be guarded as scrupulously as if he were a Church of England beneficed clergyman. All the men of the worst regiments who were on leave at the time of the outbreak, and have spent the last six months in the hostile districts, probably fighting against us, are now received back with open arms ; and a special order

of Government for the protection of Sepoy mutineers has been published. There is no protection for civil rebels, or alleged rebels, whose case in the *de facto* extinction of government is very peculiar, and who in the excited state of the European mind are, I think, often judged by an unfairly harsh standard. No, all the paternal care is for the Sepoys, and mutineers are not to be tried where arrested, but are all to be sent to Allahabad, and at Allahabad, unless proof of specific crime accompanies them, they are to be acquitted. Why this most injurious lenity? The whole Sepoy race has turned on us in the most diabolical way, and the only distinction is between those in open rebellion and those who have been disarmed and guarded by European bayonets. A middle course might have had advocates as long as any portion of the army stood. But how is the fact? Why, that it has gone bodily and entirely. Then why hesitate to strike it off our rolls, and why spare Sepoys? They are the only people for whom I would have no mercy, and it will be miserable indeed if Government even now yield to the influence of Sepoy officers and the principles of the old school.

The work of retribution on the Sepoys has yet to come. Dispersed they to a great extent are, but their losses have been absurdly exaggerated. They have as yet suffered little more than fair enemies would in fair and not very conclusive fight. Retribution has yet to come; and England must not permit an Indian Government to interfere with the extermination of the Sepoy army, which, after all our care, has turned and rent us.—Your obedient servant, A CIVILIAN.

ALLAHABAD, 1*st November*.

Extract from the "Times" of September 1857.

THE INDIAN MUTINIES.

"We have been favoured with the following history of the Bengal mutinies by a gentleman whose acquirements, experience, and position admirably qualify him for the work of observation and review. Our readers, we are sure, will be deeply interested in the perusal of so lucid and comprehensive a memoir":—

UMBALLA, 26*th July*.

You may not have received any connected view of the recent events as seen from this part of the country, and I put together a few of the main facts so far as they are now ascertained. I know not that any general preconcerted conspiracy has been proved—that it should have existed undiscovered among so large a body of men it is hard to believe,—but it is clear that a certain ferment had been allowed gradually to arise throughout the mass of the Bengal army. In some it was panic, in some excitement, in some a mere general apprehension or expectation, and in some it was no doubt disaffection or even conspiracy. Governing an alien people, and a vast army, we had divested ourselves of all the instruments of foreign domination so familiar to continental powers. We had no European strongholds, no system of intelligence or espionage, comparatively little real military discipline, and even our own post-office was the channel of the most free, constant, and unchecked intercourse between all the different regiments.

The Sepoy mind had probably become prepared to distrust us as we had begun to distrust them. There were strange new legislative acts, and new post-office rules, and new foreign service enlistments, and new entertainment of new races in our armies, and other things disagreeable and alarming to the true old Sepoy caste. And then it came about that from a small and trifling beginning one of those ferments to which the native mind is somewhat prone took possession of the native army, hinged on the cartridge question. Of the first serious symptoms at Barrackpore and Berhampore you are aware. . . . At Umballa (as, indeed, elsewhere) the men attached to the school of musketry, to whom the cartridge question was explained, made no open resistance. The cartridges were served out to them dry, and they themselves greased them with ghee. Still, throughout the army wild stories were spread, and some officers would have stopped the use of the cartridges. The men of the school were, however, ordered to fire them, and did so with apparent cheerfulness. Nor was it to them, but to the native regiments at the station, that symptoms of disaffection were attributed.

After the Barrackpore and Berhampore affairs, the fires at Umballa may be considered the second stage of the Mutiny. They broke out in April. Night after night isolated fires occurred. They were clearly the work of incendiaries; general belief attributed them to the Sepoys. There was an increased

ferment and considerable excitement and apprehension; but, in spite of every endeavour, the actual incendiaries were never caught. Many Sepoy officers vouched for the stanchness of their men, and conjectures were hazarded attributing the fires to the thatchers. At some other stations fires in a less degree occurred. Men's minds became more and more disturbed. Vague and uncertain stories of vast combinations and serious events were here and there put forth. Still people took it all quietly, and gossiped and laughed over it. The Commander-in-Chief was at Simla. The officers in command at Umballa were Queen's officers, and the general of division was but a few days arrived from England. All were equally puzzled and confounded by what they saw and heard; none had decided opinions. In fact, no one knew what to do; all seemed to wait for something to turn up. The Commander-in-Chief was distracted by the most opposite opinions. In short, nothing was done. Then came news that the men of the 3rd Cavalry at Meerut had refused to receive even the old cartridges which they had always fired, and they openly told European officers assembled to investigate the matter that their objection was not individual; that they would fire if the rest of the army sanctioned their doing so, but not otherwise. Here, then, the matter seemed to be brought to a point. Surely now was the time to settle something—either to yield to the religious panic and military combination, or to force compliance by European bayonets and cannon. Certainly there was nothing to inquire by evidence in the particular case, the men avowed their disobedience. But what was done? Why, an ordinary routine court-martial was ordered, and duly sat, on eighty-five troopers. The court-martial was composed of native officers, a large proportion of whom came from Delhi. They were as obedient as native court-martials have usually been; the troopers were in due course found guilty, and sentenced to lengthened terms of imprisonment—a felon's ten years, I think.

"The court is over," wrote the presiding officer on the 9th of May, "and those fellows have got ten years a-piece. You will hear of no more mutinies."

The convicted prisoners were in the course of the most ordinary routine made over to the civil gaol. . . .

On the morning of Monday, 11th May, the telegraph at Umballa spoke from Delhi: "The Meerut troops have come over. There is a disturbance in the city. Several officers said to be killed." A little later it spoke again: "General massacre of the Christian inhabitants. I can stay no longer. I am off."

And telegraphic communication ceased. A requisition to Kussowlee brought down to Umballa in a couple of days Her Majesty's 75th Regiment. There were already there Her Majesty's 9th Lancers and two troops of Horse Artillery, and the peace of that station was preserved.

On the receipt of the first news at Jullundur the officer in command immediately sent off two companies of Her Majesty's 8th to Philor, about twenty-three miles distant, where in an isolated fort, in charge of a regiment of native infantry, was one of our principal magazines, and the Europeans secured the fort.

At Lahore the commanding officer paraded his whole force, and disarmed the native troops.

The extent of the evil does not, however, seem to have been generally recognised on receipt of the telegraphic messages; but shortly followed letters from Meerut, and from fugitives arrived at Kurnal, which put the matter beyond doubt, and by the morning of Thursday, 14th May, the reality of the outbreak was known at Simla. On that day the Commander-in-Chief went down, and the two remaining European regiments in the hills were ordered down, to be followed by the Goorkha battalion, near Simla. . . . At Meerut the European forces were stronger than at any station in India, and it is a curious feature of the outbreak, and one much tending to support the belief in a *bonâ fide* panic, that most of the first and most serious outbreaks occurred at the stations of European troops. . . .

At Delhi, on that night, the Europeans slumbered peaceably, and the large cantonment, garrisoned exclusively by native troops, was undisturbed; but in the morning came news that some cavalry troopers were crossing the bridge of boats on the Jumna. The number who first arrived was very small. It is said that thirty troopers have revolutionised India. They took possession of the bridge of boats, rushed into the city, and created a riot there. The 54th Native Infantry was ordered down to preserve order, and the Colonel marched at their head in the fullest confidence in his regiment. When they got into the city a mere handful of troopers—about fifteen it is said—came galloping up; the Sepoys did not resist them, and the troopers pistolled the European officers, who had, generally, no firearms. Confusion followed; the 54th joined the rebels, the scum of the population of the city did the same, and, in brief, from that time Delhi was in possession of the rebels, and all the Christian population within the walls, with the exception of the few who by various chances escaped, were massacred. The chief civil officers fell; the banks, printing-press, and other non-military

establishments (at Delhi the civil station is, in fact, within the city walls) were plundered, the inmates murdered, and the slaughter of inferior Europeans, half-castes, and Christians living in Delhi must have been great.

The conduct of the native regiments at Delhi certainly does not evidence any pre-arranged conspiracy. On the contrary, they seem to have been quite taken by surprise, and to have been undecided how to act. No massacre took place in cantonments; in fact, the regiments left there seem to have stayed with their officers the greater part of the day, and only gradually and passively went over or refused to act. The officers and ladies were collected at one point, and long and anxiously did they confidently expect the arrival of aid from Meerut. Mutineers in abundance arrived thence; but the day wore away, and no European troops came. Some thoughtful mutineer —whether in mercy or in triumph we know not—sent up in a cart and deposited before the survivors the bodies of the officers killed in the city. Bitter indeed must have been the feelings of those who remained. There were in Delhi two magazines—one in the city, one in cantonments. In the former there was a great explosion which seems to have caused a general belief, much misleading popular European opinion, that the Delhi magazine had been destroyed. I do not exactly know what was destroyed, but I may here mention at once that it since appears that the destruction must have been very partial indeed, and that practically, the great Delhi magazine, with its stores of every kind, fell into the hands of the rebels. Perhaps it would have been better if we had sooner appreciated this fact.

In the evening of the day of the Delhi outbreak the survivors in cantonments finding themselves gradually deserted by their men and without aid from Meerut, determined to fly. They had a number of carriages of different kinds; most of them took the road to Kurnal; some few that to Meerut, and they generally escaped in safety. Other stragglers from various quarters had more difficult and perilous escapes, wandering fugitives from village to village; some were thus wandering for several weeks before they reached European relatives, and they endured most cruel hardships of want and weather. But generally the behaviour of the villagers was kind; most sheltered and assisted—none actually attacked them. The Brahmin villagers in particular—there are a good many agricultural Brahmin villages scattered about that part of the country—showed them the greatest kindness, and gave them active protection.

So, then, ended the great act of the great rebellion. Let us see the position in which it placed the rebels. They numbered six regiments of infantry and one of cavalry, at least, and a battery of native artillery. They had undisputed possession of the great city of Delhi—the historical, and, in our days certainly, the commercial capital of Upper India. They had in their hands the grand magazine of Upper India—a magazine which always contained two first-class siege trains in a complete state of preparation (I believe there were sixty-four 24-pounders), besides all sorts of guns, implements, and ammunition innumerable, and a great small-arms magazine, containing I am afraid to say how many thousand stand of small arms. The city was completely walled and fortified, almost the only town in India the fortifications of which we had kept in complete repair. The city rampart had been maintained as a matter of police, and to this we had added modern scientific bastions, good and strong, and on one (that which we now attack) the considerable modern fortifications of the Cashmeree gate. The treasury was one of the largest in the Upper Provinces, and, strange to say, was not divided by the mutineers, but stored up for future use. Finally, there was in Delhi a ready-made King of great historical associations, whose name acts as a powerful appeal to that great Mahomedan portion of the population which was least affected by the original religious ferment. This King was from the beginning adopted and set up by the mutineers.

Here, then, was a nucleus with a vengeance. Fortune had indeed favoured the Mutiny. On that Monday morning a company of Europeans at Delhi would probably have put down the riot, and the Meerut affair would have been but an isolated mutiny; as it was, in a few hours the Mutiny found itself a strong political power, with a great fortified city, the most ample munitions of war, abundant treasures, and a King bearing a great name. Join all this to the wide-spread ferment and known disaffection of the whole Sepoy army, and were not those justified who took the gravest view of the crisis? Was the confidence reasonable of those who made sure that a couple of European regiments would soon put it all down?

I cannot believe that any definite secret was confided to the mass of the Sepoys. A general ferment and discontent there was, and that ferment may have been fomented by designing persons. It first and chiefly affected the Hindoos, but all the Hindoostanees, the men of Hindoostan Proper, seem to be united in it. The actual Mutiny has been for the most part a Hindoo affair, and is so in Delhi to the present day (cow-killing is not

permitted, and the Hindoos have quite the upper hand), so that we have lost the Hindoo army; yet the nominal setting up of the King of Delhi has given the Mahomedans a belief in a resuscitation of the Mahomedan rule, and the irregular Mahomedan troops and others who had originally no sympathy with the Sepoys are now following them. . . .

Delhi was an unhealthy place, and there was some reason for not stationing there European troops. The fortification of the town was senseless, and seems to have been kept up as an ornament and plaything. But of all the madnesses which lead to ruin surely none could have been more flagrant than that which left our greatest magazine in Delhi among the most dangerous population in India, and scantily protected by native troops, while the great European station of Meerut would so much more naturally have been selected. The Delhi magazine was not even in cantonment, but in the city under a small guard. The danger of this had been frequently noticed, and part of the stores were moved to a new magazine in cantonments, but small has been that gain. It seems to be the same generally with these matters. On the same haphazard principle our next large magazine (and that on which we have depended for our operations against Delhi) was established at the petty station of Phillor, near the Sutlej—for apparently no better reason than that there chanced to be an old fort there, and a native infantry regiment was left to guard it. We owe it to chance and the electric telegraph that this magazine was saved by the timely arrival of a few Europeans and the tardiness of the native regiment which has since mutinied. . . .

Of the European regiments attached to the Bengal Presidency a large proportion were absorbed by two extreme possessions, hardly forming part of India—Burmah and Peshawar. Three regiments held our Burmese conquests; three more were cantoned with a large artillery in the Peshawar valley; while a fourth held the approach to that frontier at Attock and Rawal-Pindee. . . . In all our older provinces the want of Europeans was most marked. Throughout the whole Government of the North-Western Provinces, the country of Hindoostan and the Hindoostanees, there were, besides the newly-arrived regiment of Dragoons at Meerut, but two infantry battalions—one at Meerut, one at Agra. In the Bengal division there were but two, at Dinapore and Calcutta. Cawnpore, Allahabad, and Benares were entirely without European troops, saving a very few Artillerymen.

Then, as regards the native army, the whole of the regular

infantry were, as it were, one single class and clique, a certain description of men, mostly high-caste Hindoos, from a particular part of the country, united by many ties and constant correspondence. On several previous occasions they had gradually learnt to combine and mutiny. Latterly commanding officers had been directed to recruit to some extent in the Punjaub, and in many instances had done so. But the old class, who hated the innovation, made the position of the new men uncomfortable, and the experiment was not always successful. These new men were, in all cases, but a small minority. It had unfortunately happened that officers of the line commanding regiments in contingents, etc., called irregular, had been allowed to compose their regiments of exactly the old material, the tall, clean, orderly Jack Sepoys, who looked well on parade, gave no trouble to any one, and supplied all vacancies with their own brothers and cousins. Such were the Gwalior and other contingents. Attached to the regular army were but four or five regiments not belonging to this class—viz., about four regiments of Goorkhas and two of Sikhs and Punjaubees. . . .

As regards civil administration, the Punjaub, Oude, and the Saugor territories were Non-Regulation provinces, governed in simple and arbitrary style. The North-West Provinces were Regulation, and though the magisterial and revenue administrations were to a great extent efficient, they were certainly oppressed by the Regulation civil courts, which had created great revolutions in the tenure of property and must have left many discontented spirits.

Though there has been little popular rising, it has been another chance in favour of the rebellion that the country about Delhi happens to be full of the predatory tribes who form the exception. The chief of these are the Goojurs, a vagabond race, whose hand is against every man, and who have no religion in particular. Still we had kept them down, and under our rule, though thievish and bad revenue-payers, they for the most part kept the peace. It could hardly have been anticipated that on the first outbreak they would have risen so generally and vigorously. But our officers were hardly out of the Delhi cantonments when they were plundering, and they have much disorganised the country about Meerut and Delhi, though they have met with some severe punishments.

Notwithstanding all that had happened, there seemed after the first outbreak to be something of a lull. Deserters from Umballa and Ferozepore, no doubt, went to Delhi, and some of the 9th Native Infantry and parties from Agra took into Delhi

the treasure from several adjacent stations. But still whole regiments and large bodies of troops did not immediately mutiny. Some of the rioters who had stopped the communications were put down, and for a time the post right through to Calcutta was open as usual. . . .

On the 15th the Commander-in-Chief reached Umballa, and within three or four days there were under his orders there, besides the 9th Lancers and the two troops of Horse Artillery, the three infantry regiments from the hills. But these last were very weak, scarcely more than wings.

This, then, with a portion of the Meerut troops, was the force at the Commander-in-Chief's disposal, for at that time all the other European regiments had quite enough to do to watch the native troops.

The question then arose, what was to be done? The great majority said, "Speedily advance to Delhi," and nip the insurrection in the bud, but some warned that the step was rash. The troops at Umballa were harassed, and the General embarrassed by the two regiments of native infantry, whose fidelity was more than doubted, and who were the subject of continual alarm. The greater part of the advisers thought a siege train necessary. A light siege train was ordered from Phillor; the Goorkhas from Simla were to bring it. But news came that the Goorkhas had mutinied. Then came reports that all Simla was being massacred by the Goorkhas. Sir J. Lawrence, Chief Commissioner of the Punjaub, was away at Rawal-Pindee, but through the electric telegraph he was ever present, and he has been throughout, by his messages and letters, the soul of the energetic party. Communication with all other Governors being cut off, he has been principally looked to by the military authorities. He did not cease strongly to urge a rapid advance. The local Commissioner and others urged this course on the Commander-in-Chief. The poor man, so new to India, was distracted by a multitude of counsellors. The commissariat officer said he would sacrifice himself, but would not sacrifice the army. "What am I to do," said the General; "the commissariat officer says he can't and won't move?" The ready answer was—"In all emergencies the commissariat officers invariably knock up. You must trust to the civil authorities; an abundant harvest has just been reaped; you shall not want for food." "Well, then," he said, "the medical officer protests against going without 1500 doolies, and they are not to be had; and here am I going against a fortified town. Suppose they shut the gates and I can't get in, what am I to do? And suppose in this frightful

heat the army falls sick (and cholera was already in the camp) where are any reserves?" The answer was, "It is all true, the rules of war are against you. You have no reserve, an insufficient force, few doolies, and a commissariat good for nothing. But it is neck or nothing. You must take Delhi or the empire is lost." So at last it was settled to advance, but not without the siege train, and the siege train was hurried on. The native infantry regiments were harangued and loudly professed their fidelity. Half of one gradually deserted, the other regiment reswore themselves on their colours, and accompanied the force towards Delhi, where they presently deserted.

About the 25th May troops were in motion, and the Commander-in-Chief went to Kurnal. On the 27th he died of cholera there, and General Barnard took the command. About the 1st of June the siege train reached that place.

Advancing farther, a wing of the 60th Rifles, a detachment of the Carabineers, a Goorkha battalion (not the Simla one), and a good deal of artillery joined from Meerut (after having themselves fought two battles), and the force approached Delhi. You may conceive the heat of the hottest season in the hottest part of India, in tents, in a very shadeless country. But, strange to say, the health of the troops remained wonderfully good. Even the cholera, though it has always hung about, has never made great head. It is, I think, one of the extraordinary facts of the campaign that none have seemed to suffer from the heat, and many a delicate man, who in cantonments feared one glance of the sun, has borne the constant exposure and improved in health. So one grand danger seems to have been so far averted.

On the 8th of June, a few miles from Delhi, the enemy, strongly posted, were met and routed, and our army advanced to the old Delhi cantonment, where it took up a position before the city. Then did the popular European voice with one accord cry, "Now Delhi must be taken within two or three days." But this was not so easy, and soon ominous signs appeared. . . .

In the end of May a local battalion stationed at Hansi, Hissar, and Sirsa (districts inhabited by a very predatory population), mutinied, massacred many Europeans, and threw those districts of the Delhi division into entire confusion. The mutineers were joined by a party of the 4th Irregular Cavalry stationed at Hansi. On Sunday, May 31, the regiments at Bareilly broke into a mutiny, which appears to have been concerted for a fixed hour at a given signal. Many officers were killed, while many escaped to the hill station of Nynee Tal. . . .

The officers, civil and military, flying to Nynee Tal rode through the town without opposition or insult. But when they were gone power was assumed by a man of the place, one Khan Bahadur Khan, an old native judge, a Sudder Ameen, of the Company's service. He had retired upon a pension, and I believe that he had also some pension as one of the descendants of Hafiz Rehmat, the old Rohilla chief. . . . At the neighbouring station of Shahjehanpore, forty or fifty miles distant, on the same day, the Christian residents were quietly in church. The Sepoys of the 28th Regiment surrounded the edifice, and murdered every soul; not one escaped to tell the tale. . . . The 29th Regiment at Moradabad was a good one, and had stood firm, and even done good service in the face of many temptations. But when the Bareilly force went, the 29th yielded to the force of circumstances, and mutinied also. They did not harm the officers of the station, but they seized the treasure, forced the officers to depart, and remained in possession of the place. Thus the whole of the rich province of Rohilcund was cleared of European officers, and the mutineers held undisputed possession. Their subsequent proceedings are not clearly known, they seem to have long hesitated, and it was not till the beginning of July that they entered Delhi.

At several other places the Sepoys broke into bloody mutiny; and it is to be remarked that all the mutinous troops within several hundred miles of Delhi seem to have made for that place as the centre and nucleus of the rebellion. They have established no local posts, indulged in none of the ease of districts all their own, but have marched to the point where a common stand was to be made against the common enemy. Still more strange, they have generally not divided the plundered treasure; no man has been permitted to act for himself; there has been none of that wild dispersion to their homes of a soldiery sated with booty which might have been expected. They have, almost all in regular order, marched to Delhi with the treasure, as public treasure. Indeed, the quiet, orderly, and peculiar character of the Sepoy has been throughout the rebellion our greatest difficulty. In any other country, among any other race, and especially among men of much greater individual force and energy—mutineers in possession of unlimited treasure and plunder would have broken into every excess, and order could never have been maintained. These determined and bloody Hindoos have maintained the order which is their greatest security.

At Agra the two native regiments having shown a mutinous

spirit were disarmed in time, and leave was given them to return to their homes.

Early in June the ingress of many mutineers having put an end to all civil authority in the districts between Meerut and Agra, our regular communications were entirely stopped, and we have since had but very scanty and precarious information till we receive it by Bombay and Scinde, and even that is not regular or full. There seems to have been throughout the crisis a great want of any systematic communication, and the different authorities have known little of what was passing with the others. . . .

In June the whole of the North-West Provinces had become, we may say, completely revolutionised—the British rule was confined to a very few insulated stations held by European troops; in the country generally it had ceased to exist. Entire anarchy had taken its place. Yet there were not wanting signs that the people were not against us. In several districts possession was for a time regained with altogether inadequate forces. Mozuffernuggur (the most disordered district) was reoccupied with seventy-five Irregular Horse. Some volunteers from Agra went over to Alighur and seem to have been received by the people with open arms. But presently the Sowars at Mozuffernuggur themselves mutinied, shot their commanding officer, and re-established confusion, and the passage of fresh mutineers drove the volunteers from Alighur. . . .

Agra, the seat of Government, in the very centre of the rebellion, and cut off on all quarters from all communication, surrounded, as it were, by a perfect sea of mutiny, was perhaps the most difficult and humiliating position of all. With one weak regiment, besides a large station and town, they were burdened with an immense central gaol containing the greatest villains and desperadoes in India, and the gaol guard had deserted. They were threatened by many attacks from neighbouring mutineers, and early in July those threats were realised. A body of mutineers from Neemuch and Gwalior marched on Agra. The Europeans, with some native contingents, went out to meet them, but were defeated. The Europeans, leaving a disabled gun on the field, retired in good order, with the Governor, officers, etc., into the old Mahomedan fort. The rebels set fire to bungalows and public buildings, and let loose on the country the prisoners of the great gaol. Anarchy ensued in the town and surrounding villages. . . .

Let us now look to the progress of the Mutiny in the Punjaub, where, with a comparatively large European force, a local

army not infected by the Mutiny, and an unsympathising population, the Mutiny of the Hindoostanee Sepoys has been brought to a final and successful termination. I have mentioned that on the first news of the Delhi outbreak, the brigadier at Lahore, parading the one European regiment and the artillery, disarmed the native troops there. At Nowshera, in the Peshawar valley, the 55th Native Infantry broke into open mutiny. Most energetic measures were adopted. European and Punjaub troops attacked and broke them. Against the fugitives in the Peshawar valley the country, sufficiently hostile to Hindoostanees, was raised by rewards placed on the heads of the Sepoys, and they were hunted down like wild beasts. Throughout the crisis in the Punjaub advantage has been taken to the full of the strong feeling of hostility entertained by the people towards Hindoostanees in general, and Hindoostanee Sepoys in particular, and their hatred has been amply backed by their cupidity, 50 rupees being offered for an armed, and 25 for an unarmed Sepoy, dead or alive. Hence mutineers find themselves not as in Hindoostan, but in the midst of an actively hostile population. Add to this the many rivers to be crossed, all the ferries of which were guarded, and the many European and Sikh troops to be passed, and it will be understood that the temptations to mutiny were not great. To disarm has been the rule, and not only mutiny but desertion has been unsparingly punished by hanging, shooting, and blowing away from guns. . . .

On the occurrence of the mutiny of the 55th the native troops at Peshawar were disarmed by the strong European force there. At a later period the Hindoostanee regiments at Mooltan were disarmed in the presence of native troops only. Far from their country they did not resist.

At Jullundur and the neighbouring station of Phillor were a strong native brigade and Her Majesty's 8th Regiment, with some artillery. It was proposed to disarm the native troops, whose fidelity there was reason to doubt. . . . But in the night the cavalry galloped into the lines of the infantry, crying that the Europeans were upon them. The two infantry regiments rose, burnt several bungalows, wounded some officers, made a feeble attempt on the guns, and went off. They made for the Sutlej, and picked up another regiment at Phillor. . . . Thus four regiments were added to the Delhi force. By desertions, disbandments, and the march of a regiment to Delhi, to desert there, Umballa and Ferozepore had been cleared of most of the Sepoys. But the skeleton of a regiment remained at Umballa, and it was disarmed by the party of Europeans there.

Thus were the chief stations of the Punjaub relieved of armed Sepoys. . . .

Before returning to the force at Delhi I should notice the great assistance received from the Sikh chiefs in the rear, and allude to the general fact that throughout the crisis the native states and chiefs, great and small, seem to have generally stood our friends. None have taken part against us, unless the Nawab of Jhujjur be considered an exception, and close to Delhi he was in a very difficult position, and seems rather to have passively rendered some homage to the King than fully espoused the cause. I believe that all the contingents of native states who have gone over are our own men, raised by ourselves and officered by our officers. ' So far as we know the Rajahs of Gwalior, Rajpootana, Bhurtpore, Ulwar, etc., the Nawabs of Rampore and Najeebabad, the hill chiefs, and others have all come forward to render more or less what aid they could. But it is the Cis-Sutlej Sikh chiefs who have occupied the most critical position, who have rendered the most active aid, and who, indeed, may be said to have saved the empire—if saved it be. Of the country between the Jumna and Sutlej—the basis of the operations of our little army against Delhi, almost half is still held by the protected chiefs, and I think I may say that from the nature of their system they have a more complete command over their resources, their carriage, and supplies, than we have. Hence, for these most material aids we have relied very much on them, and well have they rendered them, but still more when the war (I must now call it so) broke out. The Punjaub forces were almost all far away on the frontier. On this side the Sutlej there were hardly any. The small European force could not supply detached posts, escorts, parties to keep open communications and put down refractory villages, light horse, etc. In all these duties we have called for the active services of the Sikh chiefs, their troops, and followers, and most heartily we have had it. They have thrown themselves wholly and without reserve into our cause. The Rajahs of Puttiala and Jheend have in person taken a part, without which our army could probably neither have moved to nor held our position before Delhi in the way we have done. The Rajah of Jheend, in fact, himself, with his petty force, led the van of the army, and now covers its rear. The Rajah of Puttiala has territory and great resources, and though his troops are not very efficient for actual fighting, for all kinds of miscellaneous but indispensable duties they have been invaluable. In fact, whatever we have not got, or don't know how to

get, we ask him for, and he must somehow or other supply the deficiency.

Of these things the most needful is money. Our treasuries were plundered or exhausted. The chiefs have all accumulated treasure. We have asked them for money, and money we have got largely.

Though I have been, and perhaps will be, an annexationist, I am free to confess that in this very peculiar crisis I could well have wished that a larger proportion of Hindoostan were held by native chiefs—by men who have something to lose—and that those who exist had not been burdened with our Hindoostanee contingents. But, on the other hand, if the Punjaub had not been conquered we could not so long have held our own at Delhi; we must probably have succumbed in all this part of the country; the British power would have been swept from Upper India, and the British population have ceased to live. It may prove that the British Punjaub has saved India. But to understand this we must return to the history of the war.

At Delhi, the first arrangement for an immediate attack went off; reinforcements were urgently called for. From that time to this there has been but one unvarying story—no attacks on the town by us, but continual attacks on us by the enemy sallying from the town, with the same invariable result—defeat of the enemy, with considerable expenditure of our men, and a loss to them, said by us to exceed ours out of all proportion. These fights have come off on an average about once every two days, and I will not attempt to detail them. . . .

Near the middle of June, it being understood that Delhi was not to be taken by a *coup de main*, and the Punjaub being considerably relieved by the desertion and disarmament of the greater part of the Sepoy regiments, reinforcements have been pushed down. . . .

Meantime recruiting has been actively carried on in the Punjaub. Orders have been issued to add four companies to each Punjaub regiment, and several irregular levies have been raised, one of which, in conjunction with the Bikanir force, has regained possession of Sirsa and Hissar. Old Sikh artillerymen have been got together from their villages and hurried down to Delhi, and bodies of Sikh navvies have been sent to do duty as sappers. In fact, we look on the Punjaub as our own for the reconquest of Hindoostan.

Throughout the remainder of June General Reed commanded the army, and was himself at Delhi. General Barnard commanded the Delhi forces. It was continually said we were to

attack Delhi, but continually we did not. Finally it was understood we were to await the arrival of the reinforcements.

The rains were long delayed, and despite an unusually favourable season, the heat was intense, but the health of the troops continued to be wonderful, and their spirits were at boiling point. When all India was depressed, the Europeans before Delhi alone appeared to be in the most exuberant spirits. Supplies were abundant; carriage did not fail; the greater part of the road from Umballa was good. European supplies came thence in abundance, and the country about Delhi furnished plenty of flour, grain, and native supplies. Tents were scanty but sufficient, and altogether things were as comfortable as could be expected under such heat. But complaints became loud of the irresolution, indecision, and mismanagement of the commanders. The staff was understood to be very little efficient. But Brigadier Chamberlain, a young man, a first-rate *sabreur* and leader of irregulars, commander of the Punjaub troops, was appointed Adjutant-General of the army. He proceeded to join, and much was expected of him.

At the commencement of July the reinforcements had all arrived, and an attack was believed to be arranged for the 3rd. But just at that time General Barnard died, and the strong mutineer brigade from Rohilcund at last marched into Delhi, with much parade, to the great joy of the mutineer camp. The attack was postponed, and though there were for some time many reports and much confidence, it does not seem that the thing has again been immediately contemplated. The rains had now set in, but were comparatively light. The communications in rear have not been seriously interrupted, and things have gone on much the same as before. The enemy have succeeded in interrupting the cross communication between the camp and Meerut, where upwards of 1000 European soldiers, including recruits, etc., hold garrison, with many women and children and miscellaneous inhabitants, among mud fortifications, and reports, and *canards* of all kinds innumerable. While a young man became Adjutant-General, seniority was also in other respects put aside. General Reed, invalid as he was, took the immediate command of the force; but it was understood that the active direction would be left to Chamberlain, who, if not the man of office for an Adjutant-General of ordinary times, had in him the dash supposed to be required. One brigadier who had failed was sent out of camp, another, holding the senior rank after the General, was put in honourable retreat with the Umballa command; the chief engineer was sent "to Lahore on

important business," and a lieutenant commanded that department till the arrival of Baird Smith, of canal fame. Chamberlain kept everything on the alert, but there seems reason to doubt whether his tactics improved matters. It is certain that in two or three actions after his arrival we lost, by pushing too far, more men than formerly, and many more than we could spare, and an advance party under the walls of Delhi were mowed down by the enemy's grape. Chamberlain was himself severely wounded, and laid up unfit for duty. It will be asked, where was the artillery all this time? It must be simply told that, in spite of all reinforcements, it proved altogether unequal to cope with that of the enemy. The mutineers had originally few artillerymen, and it was supposed they would be weak in that arm; but, on the contrary, their practice has been first-rate—many say better than ours—they have infinitely heavier metal; and, in brief, we have not been able to plant our batteries nearer the walls than from 1500 to 1800 yards. It need not be said that breaching with a few 18-pounders at this distance is quite out of the question; so there the wall of Delhi stands as firm as ever, and any little accidental damage is at once repaired during the night. Our field artillery is strong, twenty-six guns I believe, but what use against fortifications? The camp, like every other place, has been kept alive with *canards*—the enemy were said to be dispirited, starving, diseased, divided, and, above all, running out of ammunition; but somehow or other there they are just the same, getting constant reinforcements, and I dare say pretty comfortable. As I have before said, the wonderful abstinence from those disorders and quarrels which might reasonably have been expected from excited mutineers of two widely different religions is a cruel disappointment to us. They come out in regiments, but do not fight with much order, or indeed, with much individual obstinacy—still they come fresh and fresh, and give us a hard time of it. Baktawar Khan, the Bareilly general, has been elected commander-in-chief of the whole army. The King of Delhi seems to be treated as nominal king, but, I fancy, exercises little power.

We put to death all the prisoners whom we take, and all suspicious persons found in the camp have a summary trial and a short shrift. The European mind has been greatly excited against the natives, and we exercise severity, justifiable against mutineers, spies, and treacherous subjects, but which undoubtedly gives the war a painfully internecine character. Desertions from the enemy to us have been few. What numbers may leave and fly to their homes we do not know, but it may be doubted if

single men or small parties laden with plunder have much chance of getting home; they would probably be killed on the way by villagers for the sake of their skins.

Gradually the truth has been breaking on us that with the fortifications of Delhi intact, the enemy numerous, increasing, and well supplied, and our force diminishing, we cannot hope to take Delhi except by time, patience, and very large reinforcements, barring, of course, any fortunate and unexpected turn of the wheel.

On General Chamberlain being laid up wounded, General Reed gave up the command and left the camp. The next senior officer, a colonel on the staff, also retired, one or two others were somehow superseded, and the command was assumed by Brigadier A. Wilson of the artillery. He is believed to be a good man, a long-headed, cautious Scotchman, and probably the best selection that could have been made. Since he took the command we seem to have repulsed the enemy's attacks as well as before, with less loss to ourselves.

Extract from a further letter to the "Times."

Eastern Bengal has been thrown into alarm and considerable confusion by a mutiny (strange as it may sound) of the 34th Native Infantry, the very regiment which first exhibited disaffection, and of which we thought we had got rid long ago. It turns out that three companies of the regiment being absent from headquarters, their implication in the disaffection of the others was not considered to be proved, and they have ever since retained their arms and served the Company at Chittagong, on the Eastern coast. At last they have mutinied, and marched with the treasure towards Tipperah and Dacca. At the latter place a consequent attempt to disarm a detachment of the 73rd Native Infantry was followed by an outbreak, and now we hear that at the headquarters of that regiment the irregular cavalry have gone off. To-day it is rumoured that the Sepoys have also gone. The only comfort is that this is the last of the Bengal army, and we hope that the Sylhet and Assam local battalions will not be drawn into the vortex, though there is anxiety about them.

In our own provinces a generation has grown up unused to arms and with no taste for a life of violence. Hence, whether they positively prefer our Government or not, they do not

resist us, and look on our armies as the protectors of the peace. But in Oude arms and violence have been the normal state of the population from childhood; to them to fight is natural, and the excitement of warfare is, perhaps, a pleasure, in debarring them from which they feel a want. The whole country is studded with the mud strongholds of the large Zemindars. These it appears that we had not ventured to disarm, and they bristle with cannon. It certainly seems to have been a mistake that we to a great extent reduced the position of these men before we drew their teeth. The revival of the village communities and the reduction of the middlemen may possibly have been proper, but at least we should have disarmed the latter first. It has unfortunately happened that we had made, but not disarmed, real enemies, and had projected, but not really created or armed, friends, when the Mutiny broke out. There seems also reason to believe that our administration was generally unpopular in Oude. It had been somewhat unfortunate. The country differed considerably from the Punjaub, where one great class of sturdy but simple yeomen excludes almost every other, and without foolish pride, but with infinite perseverance, they insist that their cases shall be heard and understood, and not unwillingly accept as arbitrators well-intentioned Saxon boys. In the Punjaub, moreover, the administration has been centralised in very strong hands, and it was well commenced with a good proportion of experienced officers. In Oude, on the other hand, there was a large aristocratic class too proud and too cunning to submit to a simple arbitration, and no doubt ready to mislead inexperience, and an infirm class too over-ridden and too little independent to appreciate the rights we would give them, and to struggle in ignorant or corrupt Courts. Then it unfortunately happened that the European local officers employed in Oude were almost all young—too young and inexperienced men, and their ministerial implements were men of corrupt habits or inferior class, while most unluckily it occurred that the centre of administration did not work smoothly. Personal difficulties—in fact, quarrels—arose; the leading officers were at daggers drawn with one another, and the result must have been a derangement of the machine and a want of centralisation and vigour in an administration in which supervision was of all things the most necessary. Therefore, altogether, though I have no personal knowledge of the matter, I am inclined to believe what I hear,—that our administration was very decidedly unpopular in Oude, that individual officers were allowed to carry their opinions to extremes, and that there were great complaints of the ignorance

of our local officers and the corruption of their subordinates. All things, then, taken together, we can now well understand that when a great Sepoy army, sprung from the population of Oude, was thrown into that country in bloody mutiny against Government, a powerful rebellion arose, of which we are far from seeing the end.

If we might expect that two or three battles would recover Oude, I should say do so at once with our united English regiments. But upon this we can by no means calculate. We cannot say how long the resistance may be protracted—it may be for years; and, this being so, it certainly will never do to leave our once old and, to a great extent, friendly districts for an indefinite time in the possession of the enemy. Against that I most earnestly protest. The injury, the destruction of all faith in us, would be incalculable. A few months may but have disgusted the population with anarchy, a longer time may establish a native Government, and we may hereafter reconquer subjects who have acquired new tastes and habits. I am, then, thoroughly convinced that we must re-occupy our own districts before we embark all our strength in a protracted campaign in Oude, even if it should prove necessary to defer the complete subjugation of that country for another campaign in another season. An attack on the centre of the rebellion, the breaking of its head and prestige, and the occupation of Lucknow if the Commander-in-Chief should so determine: but certainly, I say, no village war and occupation of hostile Oude districts till we have fully occupied Rohilcund, Goruckpore, and Bundelcund.

What, then, I hope may be done is this,—in defiance of all routine rules about seasons for passing certain jungles and so forth, let the European regiments landed on the Madras and Bombay coasts, and the reliable Madras and Bombay regiments, be pushed with the utmost rapidity into Central India, Bundelcund, and Rajpootana, and occupy all that country. Let the Commander-in-Chief first recover the Doab, and if necessary Calpee, and finish or drive into Oude the remainder of the Gwalior contingent. Let the upper districts of the Doab and Delhi divisions, which have now been some months in our hands, be held by the forces of the neighbouring Sikh and other friendly Rajahs while the Sikh and Goorkha regiments, now they are released, occupy the centre and lower Doab. Let all the Punjaub force that can be spared be sent down for the occupation of the country east of the Ganges and about Benares, etc.—Rohilcund and Goruckpore to be then occupied as soon as possible. Let Lucknow be without doubt occupied two or three weeks sooner or later, if it be in any

way possible, even with considerable risk and loss. To occupy the Oude country remains. If we have desperate chiefs and a desperate population, backed by the whole of the disorganised Sepoys and desperate rebels from all parts of India, I believe that we shall require a very strong force in every district, and a detachment of troops in every police station. And whence are so many reliable troops to come? But I have this specific, which I think combines justice with policy. The annexation of Oude is a thing of yesterday. The chiefs and people were not consulted. Their tacit submission has been of very short duration. They have now once only fought for independence. The volcano which overthrew us created a void and an opportunity which it must have been hard for them to resist, and we may have been somewhat in fault. They are not guilty of the massacres; on the contrary, the preservation of the lives of fugitives seeking their protection has been a point of honour with the Oude Zemindars; wherever our people have obtained safety it has been through them, and many have been so saved. I would, then, first entirely defeat and break them as a body, and then I would say, "Yield now, and the country shall be treated as a newly conquered, not as a rebellious one, provided you now subscribe allegiance to us, undertake the duties of subjects, subject yourselves to the penalties of future misconduct, and give no asylum to our mutinous Sepoys. No man shall profit by the rebellion. We retain the power of treating with political favour or disfavour our friends or our enemies; but no Oude subject not guilty of treacherous murders shall be prosecuted as a rebel, or, as such, punished by criminal courts. You have suffered defeat and the injuries of war; but, beyond this, if you now yield, you shall be as you were. Nothing is restored, but our courts are still open for the legitimate prosecution of your claims to landed and other rights."

All this would, of course, be conditional on good faith on their part, and we should require of our new subjects a hearty co-operation in the apprehension of mutineers. But with these conditions I think that the measure would involve no dishonour to us, would be no more than justice to the Oude people, and would be no bad example to our own proper subjects, whose case is and always will be widely different. We should obtain Oude on the same terms and in the same situation as any of the many countries which we have conquered, and I believe that we might thus, and thus only, easily govern it, and might thus re-establish peace. Any faults of our Government we should of course strive to correct.

Final extract from the "Times" of 1857, *about the absence of concerted rebellion among Mahomedans, and the lack of proof of atrocities against women.*

THE INDIAN MUTINY.

SIR,—Now that we are recovering our lost provinces it becomes of the most vital importance correctly to estimate the facts of the rebellion, with a view to guide our present and future conduct. If we are still to rule the country there must be some other feelings than blind hatred on one side and abject fear on the other. Better abandon it than hold it thus. I trust it is not necessary seriously to argue that in this rebellion all natives, all men with black skins, are alike. It is well recognised by all who have spoken in England, by all who have for a moment thought in this country, that it is not so; that while thousands have rebelled, millions have been friendly and millions neutral. But still there is very great truth in an opinion quoted by Lord Shaftesbury, to the effect that one of our greatest difficulties now is the feeling of bitter execration towards the natives which has taken so firm a hold of the Anglo-Indian mind. I do not stop to inquire whether the guilt of all the mutinous regiments who have engaged in bloody rebellion is not quite enough to demand the utmost punishment we can inflict, and whether a nice discrimination of the degrees of guilt beyond this abundantly sufficient hanging point is not altogether superfluous—whether, if we are to govern India, it is not inexpedient that any man should sit in his village and tell how he was a soldier of the Company and rebelled against it, and whether we should not, therefore, either hang or transport every such traitor, just as we may find it most convenient and profitable to ourselves, mercy being exercised, not in discrimination between mutinous regiments, but solely in the exceptional case of individuals who have the immediate means of showing that they have done special service. All this I leave to others to discuss. But that as regards the inhabitants of the country, a good and prompt discrimination is absolutely required both by justice and expediency, and is indispensable to our rule in India, I do maintain, and do the more earnestly urge, because I fear that the great outcry against "Canning's clemency" towards the Sepoys may tend to prevent the avowal and enforcement of clemency where clemency is due. At the same time I most fully concur in Lord

Shaftesbury's argument, that nothing will more tend to mitigate that great evil of bitterness and execration on the part of Europeans than a vigorous and consistent exercise of severity and retribution where severity is due. I am also no stickler for forms. I care not whether justice be formal or "wild" so long as justice is done—so long as a man, whether on the judgment seat he administers the gallows of civilisation, or on horseback he administers a revolver, acts with judgment and discrimination. I sit down, then, to try to discriminate some of the facts of the rebellion.

On many points I have myself long hesitated—have long held qualified, reserved, and partially formed opinions; in fact, I have delayed to the last moment to deliver to myself my verdicts. But it does happen that I have had greater opportunities for observation than most men, and have perhaps been in a position to observe more calmly and impartially than has often been the case. Bound as I am to this country, I thank my God that I escaped the worst scenes of the Mutiny. I happened to be at the moment of the outbreak far away among quiet snows; but during the following months, at Umballa, Kurnal, Meerut, and other places, I had good opportunities of knowing what was to be known of one side of the rebellion. I have since visited Delhi, Agra, Cawnpore, Allahabad, Benares, and the length of the country which may be considered to have been the seat of the rebellion, and latterly I have spent some time in Calcutta, and have heard what is to be heard of this other side of the rebellion, which has been so completely cut off from the upper country that every one on one side has been throughout completely ignorant of what was occurring on the other side. Right or wrong, then, my opinions have not been formed without observation and deliberation; and I think I should be wanting if I did not offer them to the public to be taken for whatever they are worth.

The first and chief question then is—"Who has rebelled?"

I take it for granted that the great Bengal native army, as a body, *has* rebelled,—that the people of India as one body have *not* rebelled. But within these limits there is a very wide space.

The most obvious, popular, and pressing theory is that the Mahomedans have rebelled. It is said and believed that there has been a general Mahomedan movement; that the Mahomedans are our enemies, and must be put down.

Has there, then, been any general Mahomedan movement to rebel or to promote rebellion?

On no question have I longer pondered; on none have I

longer sought for evidence. I have now exhausted every source of evidence open to me, and I have not only come to the conclusion that the case against the Mahomedans has been greatly exaggerated, which I have long suspected, but am now, contrary to my first expectation, convinced that the accusation against the Mahomedans in general is absolutely unjust—that there has been no general Mahomedan movement in India whatever. Some may think this assertion monstrous, but I trust that they will hear me.

First, I will take the allegation of previous Mahomedan conspiracy as having got up the rebellion.

To this I answer simply that it is a mere assertion unsupported by one tittle of evidence, and that the fact of evidence having been everywhere sought and nowhere found is quite enough to negative the possibility of the existence of any wide conspiracy. It is totally out of the question that so great a web can have been woven all over the country, and that not one thread of it should have come into our hands. I refer you to the records of Government to find whether there is one trace of evidence of conspiracy previous to the outbreak on the part of the King of Delhi, the King of Oude, or any other Mahomedan potentate whatever. I am told that the Shah of Persia, somewhat in the spirit of Lord Broughton when he said, "*I* made the Afghan war," now says, "*I* promoted the Indian rebellion while I was at war with you, but I have withdrawn my influence now that I have made peace with you." I do not, however, believe him in the sense of his having engaged any potentate in conspiracy or exercised any influence, and am confident that there is no reason whatever to suppose that the Mutiny was got up by the Mahomedans.

Well then, let us go to the conduct of the Mahomedans *since* the outbreak.

As regards any general combination on their part in the rebellion, I have only to say that the idea is diametrically opposed to the known facts. Are those who entertain it aware of the following facts?

The majority of the population of the Punjaub are Mahomedans. A very large proportion of the Punjaub troops, I should think fully half, are Mahomedans. In the regiments which have done the best service before Delhi, the Guides and Coke's corps, the majority are Mahomedans; and the fidelity of these Punjaubees has never been doubted. The few traitors in the Punjaub ranks were exclusively Hindoostanees. The Punjaub Mahomedans, then, have not joined the rebellion.

Again, there is in Bengal a large proportion of Mahomedans, especially in Eastern Bengal; in the districts about Dacca, the ancient capital, they are more numerous than anywhere in India —form, I think, the majority of the population. And the Mahomedans of those parts, the followers of the well-known Ferazee sect, have been notable for religious bigotry. The Mahomedan population of the modern capital, Moorshedabad, and its environs, must also be very large. Well, what has been the conduct of the Bengal Mahomedans? Have they rebelled or shown sympathy with the mutineers? No such thing, but the very contrary. At Moorshedabad there are now two disarmed regiments unguarded by Europeans. And in Eastern Bengal, utterly unprotected during the recent outbreak of Sepoys, have the Mahomedans joined them? So far from it, they have not only received no popular support, but there has been actually manifested in this Mahomedan Eastern Bengal a popular hostility to the mutineers only equalled in the Punjaub. The people of Dacca came out, and "with loud shouts assisted in dragging along the guns," when the few Europeans attacked and dispersed the Sepoys. The people of Mymensing collected and drove them away when the Europeans had left the station. Everywhere their stragglers are cut off. This may be but a symptom of the hatred of the Sepoys which these people certainly entertain; but, at any rate, I am borne out in saying that in Bengal the Mahomedans have taken no advantage of the Mutiny.

Take, further, the whole of Southern India, from the Nerbudda to Cape Comorin. You are aware that it contains a great Mahomedan population. The proportion of Mahomedans in the Madras army is much larger than in that of the other Presidencies, —especially in the cavalry. Have the Southern Mahomedans taken part in the rebellion? By no means. The Madras army is intact. The Southern princes have behaved well. Neither the Moplahs nor any other Mahomedans have taken the occasion for popular revolt. The threatenings at Nagpore, and one or two other places, were the work of the Hindoostanees in the Nagpore and Nizam's local forces.

Altogether, then, seeing that it is a fact quite beyond contradiction that in all the provinces of India, excepting Hindoostan Proper, the Mahomedans have not taken part in the revolt, I may confidently assert that the idea of a combination of the Mahomedans of India is clearly negatived. There has been no general Mahomedan crusade, and no active sympathy on the part of the professors of the Mahomedan religion.

Next let us examine the conduct of the Mahomedans of Hindoostan Proper alone. Here the matter is, no doubt, more complicated. Hindoostan is the theatre of the revolt, and throughout Hindoostan alone has the British Government been overthrown, and the rebellion for a time triumphant. Have the Mahomedans behaved worse than the Hindoos?

Let us take the army. In the regular army—infantry, cavalry, and artillery—I see no reason to say that one has been better than the other. Through all the preliminary stages of the Mutiny the Hindoos were believed to be the worst, but in its course sometimes one, sometimes the other, may have been rather the more conspicuous, and the result has been that all have mutinied alike; only it can be said that in the regular army the Hindoos were by far the most numerous and altogether preponderated.

In the irregular cavalry only the Mahomedans altogether preponderate. Now, whether from having more at stake, or from any other reason, it does so happen that more men have not mutinied in this branch than in the other. In the Punjaub there are still some Hindoostanee regiments of horse *not* disarmed or dismounted. Jacob's famous horse are exclusively, or almost exclusively, Hindoostanees; the Nizam's and Nagpore cavalry regiments are mostly Hindoostanees, and still stand. Of our soldiers, then, of all arms, mutiny has been somewhat more universal to the Hindoos than to the Mahomedans. On the other hand, of the men of our native civil services who on the overthrow of our Government in the various districts have elected the part of the *de facto* rebel rulers, the larger number are probably Mahomedans. It is so for this reason, that, while the Mahomedans combine with the clerkly character the use of the sword and the remembrance of former rule, among the Hindoos the two characters are generally disjoined, and we have in our civil service comparatively few of the Hindoo military classes. The chief Hindoos in our civil employ are Kynts, and men of that class, our own creatures, who owe everything to our rule, and are very unlikely to rebel.

Taking these together, the servants of Government, military and civil, the proportion of revolt is pretty equally balanced.

Among the people of Hindoostan the case stands thus:—It is certainly true (and it is a natural consequence of the proselytising character of the Mahomedan religion and the opposite system of the Hindoos) that of the loose members of society, the "badmashes" and off-scourings of large towns, and the men who live by their wits, or by any service they can get, a large,

perhaps the greater number profess Mahomedanism. Quite independent, then, of religion, any riot or red republic must have in its ranks many low Mahomedans. Further, we know that on the first outbreak the mutineers, in possession of Delhi, wanting a King, and finding one ready to their hand, set up the King of Delhi, and thus gave a certain Mahomedan complexion to the rebellion in that part of the country. Also in Rohilcund we know that there is settled a powerful tribe of Mahomedan Rohillas, predominant in Bareilly, Shajehanpore, and a few other towns, who were the former rulers of the country to which they have given their name. When the Sepoys expelled from this country the British Government, and then themselves abandoned it to march to Delhi, power was resumed by the Rohillas, and Rohilcund became to some degree subject to a Mahomedan rule. The same thing occurred in the Futtehghur district, where the old rule of the Mahomedans was re-established. Altogether, then, what I may call the north-western side of the rebellion, the country from Delhi to Futtehghur, no doubt, in some sort assumed a Mahomedan type, and to this may be attributed the very bitter feeling towards the Mahomedans, and the conviction of conspiracy on their part, which it is so hard to combat. I myself, while in those parts, felt that the Mahomedans had the greatest temptation to rebel, and were to a great extent to be the most distrusted and feared. But I altogether deny that even in those provinces the Mahomedans, as a body, and as a matter of religion and class, rose in revolt. Districts in which we could make no struggle for power do not admit of analysis, and, in fact, we as yet know nothing of them; but while Mahomedan princes have remained faithful, and many Mahomedans have served us well in those districts where we have maintained some struggle for authority, the Mahomedans for months did not rise in Mahomedan revolt; on the contrary, as composing a large proportion of the more respectable inhabitants, they were rather the victims of the red rebellion, and on several occasions very manfully defended themselves against the plunderers. In some at least of the instances where, just when the cause was becoming desperate, about the time of or after the capture of Delhi, a few small Mahomedan risings occurred, there was the greatest ground for believing that they were occasioned by severity and what they considered persecution on our part. Throughout the siege of Delhi Mahomedan fanatics were nowhere conspicuous. The Pathans of Rohilcund and Futtehghur have given us no trouble beyond their own borders—in fact, the fight has been everywhere a Sepoy fight. Still I have admitted a certain Mahomedan prominence

in the establishment of Mahomedan rule and abandonment of our cause by some of our Mahomedan servants and subjects in the Upper Provinces. But when I get farther down country how is it? In Oude the rebellion is essentially Hindoo. Hindoo Talookdars, Hindoo followers, and Hindoo Sepoys are altogether prominent; we hear comparatively little of Mahomedanism. Without doubt, this in Oude is for the most part a Hindoo revolt. In the Cawnpore districts who have been the rebels? The Nana and the Hindoos. In Bundelcund it is the same. The Mahomedan Nawab of Banda saved the lives of the Europeans, while the Jhansi Hindoos slaughtered them. Who invaded Benares? Our Hindoo subjects. In Behar who have rebelled? Hindoos. Who have aided Government? Mahomedans.

Taking, then, no local, partial, or general view, but weighing the facts of the country at large, I do maintain, not only that the cry against the Mahomedans is exaggerated, but that we cannot in fairness say that there has been anything like a revolt of the Mahomedans as a class; that the allegation is altogether incorrect; that, on the contrary, amid great temptations, the Mahomedans have, I think, behaved better than might have been expected, considering their antecedents and position; and that the result, far from bringing to light a chronic Mahomedan conspiracy, has been to show that we have not in that class of our subjects the formidable danger that has been sometimes apprehended; that they are not as a body influenced by bitter fanaticism or bitter class spirit; and that, if we secure ourselves against the revolt of the army, we may rule the Mahomedans in as great peace and quiet as the Hindoos. I protest, then, against any exclusion or degradation of the Mahomedans as a class. Each individual and each section of people in each district and place must be judged by their acts, and not otherwise; and they should be fairly judged—not by a foregone prejudice, but with an equal mind.

You will ask, if the Mahomedans did not make the rebellion, who did? All that I have said of the balance of the two great classes in the movement shows that the Hindoos also did not revolt in a body as Hindoos. An equal proportion of Mahomedans were as bad as they, and many Hindoos have remained faithful.

There is no trace of Hindoo rebellious movement in the people of the Punjaub, Bengal, or Southern India. Here, then, is our first and chief limitation. There is no doubt that, whether the rebels be Hindoos or Mahomedans, or anything else, the movement has been strictly and exclusively confined to the great Hindoostanee race. It is in every respect most literally

and emphatically a Hindoostanee rebellion. No other race—Punjaubee, Bengalee, Hill-men, or the various south country peoples—have shown a trace of sympathy with it, whatever their creed or caste. But the Hindoostanee race is no doubt by far the greatest and most important in India, and within that race how far has the movement gone?

What I have said of the Mahomedans will show pretty well the position of the Hindoostanees generally. The rebellion has included the whole Hindoostanee soldiery, wherever serving, with small exception; a red rebellion of all the plunderers who have found their opportunity in anarchy; the classes who have been dominant in the country within the memory of living man, either as rulers or as landed proprietors, who have been rejected by us, and who have taken the opportunity to re-assert their former status; some men who, believing the British Government to be extinct, have thought it prudent to attach themselves to the power *de facto*.

These will, I think, be found to include all who have actively rebelled. But still it must be admitted that these classes involve such large sections of the community, and are so extensively ramified and connected, that so large a population are related to the Sepoys, such large tribes retain in their blood the instinct of plunder, so many Pathans and Rajpoots have thought that they were again to rule, so many ousted zemindars have recovered their own again, and our overthrow to local observers has seemed so complete in so many places that a large proportion of the population has been compromised, and there has certainly been this result—that it has been impossible to be quite confident of any Hindoostanee whatever, and the whole country of Hindoostan has been more or less tinged by the rebellion. The position has no doubt been more difficult than elsewhere, but still there is no denying that, whether from co-nationality, sympathy, fear, or expectation, there has been throughout Hindoostan generally an absence of that native aid to us which we have found in the Punjaub and Bengal. The mass of the Hindoostanee race has in this crisis wavered in their allegiance—so much can with truth be said, and it is a most grave fact; but still, I think, in the very peculiar circumstances of our position, and seeing the extraordinary violence and success of the military mutiny, that it is not an overwhelming one, and that, our power restored, it may be got over.

In one respect the result appears to me not unsatisfactory. The strength exhibited by the classes who formerly ruled the country seems to be not great, and to have so rapidly decreased

in proportion to the time which has elapsed since the establishment of our rule as to afford the hope that, if their present power is not permitted to last too long they may rapidly subside into insignificance. I have limited this class of active rebels to those who have ruled within the memory of living man, and I believe that it is so. The King of Delhi's rule is of older date, and, though his name has been used, I am quite unable to see that he has been supported by any personal party whatever. He was simply set up by our army. The Pathans and Rajpoots and Boondelas, whose countries have been acquired within the last fifty years (in the decline of the Mahomedan power great Hindoo zemindars were in much of the country the really powerful men), have made a considerable, but I believe it will be found not a really formidable figure; while the Mahomedans and zemindars of Behar and part of Benares, whose subjection to us is of a date twenty or thirty years earlier, have generally not joined in the rebellion at all. It is only in recently-acquired Oude that the class ousted from power has been so very formidable.

To sum up, then, the rebellion has been altogether confined to Hindoostanees.

In Hindoostan active rebellion has been confined to certain classes. But the country generally has been more or less tinged by the rebellion, has considerably failed in sure and active sympathy with us, and has for a time lost that confidence in the stability of our rule which has been our great strength.

I now go to this other question. What atrocities have the rebels committed against us Europeans? I approach this subject with some hesitation and difficulty. It requires some courage now to venture to hint to Englishmen that perhaps their wives and daughters, and fathers and mothers and sons, have not been ravished and tortured and dishonoured to such an extent as has been lately asserted. After all, it is bad enough to be most brutally murdered, without distinction of age or sex, and if it gratifies our countrymen to believe all the additional exciting particulars which have been of late circulated with such an ingenious circumstantiality of horror, and so ready a catering to the public appetite for that kind of food, I should not, so far as they are concerned, care to undertake the task of contradicting them. . . . But I think that to estimate the spirit of the rebellion, and to regulate our feelings in the future administration of the country, it is quite necessary to inquire,—Have the rebels simply waged against us a war of extermination, or have they studiously sought our personal disgrace, dishonour, and

humiliation? Have they for the most part confined themselves to murdering us with all the circumstances of brutality necessarily attending the destruction not only of men but of families by an incensed soldiery, aided by the most brutal of the mob, or have they in addition, with refinement of malice, reserved us for especial torture and disgrace? And, above all, have they particularly aimed at our humiliation by the dishonour of our women? Shall I surprise you when I avow a belief, formed after diligent inquiry in so many parts of the country, that the first of these descriptions is the true one, and that the latter is not founded on fact? But so it is. I thoroughly believe that by far the greater part of the stories of dishonour and torture are pure inventions, and that the mutineers have generally, in their blind rage, made no distinction between men and women in any way whatever. I do not pretend to have ascertained accurately what *did* occur in each case—that never will be known; but this much I know—first, a large proportion of the stories circulated have been proved to be false, and therefore we know *primâ facie* that there has been a large range for invention, and that stories must be carefully sifted. Very many of these stories are already quite contradicted by the knowledge of people now in Calcutta and in other places in India. Then I may add this—that after having visited most of the places from which such stories could have come, I have not learnt one instance in which any one has survived to tell of injuries suffered. I believe there is not one mutilated, tortured, or, so far as I can gather, dishonoured person now alive. It is evident, then, that the sources of the stories we hear must be at best somewhat second-hand. Surely we are not to believe them all without an attempt to trace them to any source whatever. Now, this I will say positively of my own knowledge, that nine-tenths of the stories told are not to be heard at all on the spots to which they have reference; it is only as we get farther and farther off that they grow and acquire force and circumstantiality. At Delhi for months the belief was that men, women, and children had been indiscriminately massacred, but no more. I never heard there a story of dishonour pretending to anything like authenticity. . . . I never heard a word of anything of the kind at other stations in those parts; indeed, it was repeatedly a subject of surprise and remark that such things were so little alleged, and that no distinction of sexes seemed to have been made in any way. But I *did* hear when I was on the Delhi side that the most horrible and too unmentionable atrocities had been committed at Cawnpore. Well, I

went to Cawnpore; what did I hear there from impartial and well-informed persons? Why, simply this, that the matter had been particularly inquired into, and that the result was the assurance that there had not been dishonour or prolonged torture, but that the women and children had been massacred altogether and thrown into a well. But, it was added, though it has not been here there is no doubt that it was so at Delhi and those places. Such is the difference of version according to distance. . . .

In truth we know that all are now prone to the marvellous and the horrible; that everywhere stories in accordance with the popular imagination are caught up and repeated, and exaggerated. And when all these are collected and combined, and further exaggerated step by step, why, in the end, by a judicious combination of the strong points of different rumours very exciting stories may be made. But if we really wish to get the truth, they are very rapidly reduced; and I again most distinctly and emphatically express my belief, founded on most extensive inquiry, made with no prepossession either way, that by far the greater part of them are absolutely unfounded. I do not assert that no unnecessary cruelty in the course of murder and no dishonour occurred; but I *do* express my strong belief that, under the known circumstances of the outbreak, there is rather to be remarked the absence, so far as we can discover, of the amount of female dishonour which might have been anticipated, than a tendency that way. In short, so far as I have been able to learn, the object has throughout been (as I have already said) extermination rather than dishonour; and the distinction is important. Sad and bitter must be the feelings in future of us who are bound to India, if we believe that in the land where, as Lord Ellenborough says, we have stalked as conquerors, the subject people have deliberately and maliciously inflicted on us such national dishonour and humiliation as we claim. But if, as I believe, mutinous soldiers have risen and massacred the superior race, without distinction of sex or age, why, death is no dishonour, least of all death as it has been met by men and women whose example has not disgraced but ennobled their country. And what will the subject people learn? Only this, that when, by treachery and the arms which we have put into their hands, their countrymen have exterminated those set to rule over them, the result has been but to bring other Englishmen to rule over them again as courageous, more numerous, and more powerful than the first. They may, then, look on us not as a humiliated race, but as one not to be

exterminated or shaken off, and their bonds may be riveted more firmly than ever. The truth or otherwise, then, of the stories circulated is one of great importance, and I do beseech of my countrymen to pause and inquire before they accept every story of hate and contempt on the part of our subjects, which, however disgraceful to them, is after all far from creditable to us who are supposed to have inspired such feelings. A Cæsar may be murdered; it is only a slave-driver who is tortured and deliberately dishonoured by his victims.

JUDEX.

Views on Social Reform as distinguished from Political Freedom in India, and on Progress from Village Communities.

Bengal Social Science Association.

Report of an Address by Sir George Campbell, Lieutenant-Governor of Bengal, President of the Association. Delivered on the 10th January 1874.

Gentlemen, I may say Ladies and Gentlemen (for I believe there are many lady members of this Association),

I beg to return you my very best thanks for the honour which you have done me in electing me your President. There is, I believe, one penalty attached to that office. It is expected that the President who has been elected should give an address to the meeting on this annual occasion. I fear I must apologise, and I am sure you will accept the apology, that my work at present has been of so pressing a nature, that it had been totally impossible for me to prepare anything which I may deliver to you as an address worthy of such an occasion. It possibly might have been more fitting that, this being so, I should have excused myself, and have asked that the chair be filled by one more worthy and better able to perform its duties. But I have ventured, notwithstanding my unpreparedness, to accept this office and come down here to-day, because I wished, in simple words, to express to you my wish for the success of this Association, and my belief that it ought to fill a greater part than it has yet filled in this city and in this country. I by no means mean to say generally that this Association has not hitherto performed very good and very useful work; but I do say that it ought to occupy a still greater place, a still more influential place, than it has yet occupied. My opinion is that an association of this character should become in this country a sort of Social Parlia-

ment, where great subjects may be discussed, and great influence may be exercised. Gentlemen, in this country it is impossible we can have political freedom; the circumstances are such that political freedom is, at this moment, impossible. But, on the other hand, we enjoy—the people of this country enjoy—the very utmost social freedom. I believe that there is no country in the world in which social freedom is enjoyed in a greater and more complete degree. That being so, it appears to me that this country of all others is one in which social freedom ought to flourish in the shape of associations, where social questions may be openly discussed, and in which great and good and learned men may propound their views, and, rubbing their views one against another, come to conclusions which should influence the Government, and influence the movements of society.

In undertaking a work of this kind, I am sure that this Association has before it a field of enormous magnitude and enormous importance. In regard to Social Science, we have in this country what I may call a virgin soil, of immense width and depth. There are questions, burning questions, in this country, affecting great populations and great provinces, which are yet to be solved. There are great questions of this kind, I may say almost all questions of this kind, that have yet to be solved; and the very commencement of their solution has yet to be undertaken. It is for this Association to make that commencement. This Society has already made that commencement, but I am of opinion that it ought to go on acquiring force, attaining at the end objects greater than these of which it had made a commencement. The questions which it is for us to discuss are difficult questions. Questions which arise in this country are unsolved to a great degree, I believe, because they have not yet been fully discussed. It is the case, unfortunately, that the best minds do not agree upon the most difficult questions in this country. Whether it be European with European, Native with Native, or European with the Native discussing, we find a vast difference of opinion; we have not found a general or universal concurrence in anything. I remember a story which is told of a very eminent man—it was Lord Ellenborough, I believe—who said that in India he met very many great and excellent men who were distinguished by a knowledge of the country—men who gave opinions of the utmost value on different subjects; but one difficulty was that of all these great men never yet was found one to agree upon any one thing connected with India with any other. That, Gentlemen, is the case to a

certain extent, because these subjects, as I have said, are virgin subjects; because they have not been fully discussed; because men have never been brought together so that, by argument and discussion, truth is evolved, facts are evolved, and conclusions at last arrived at, after a great deal of discussion and argument. I am sure that it is for a society of this kind, taking the place of a Social Parliament, to evolve the truth by open discussion, by many meetings, by many conflicts of wits and opinions. In taking part in discussions of this kind, Europeans and Natives may meet upon common ground; and I am sure that no people in the world can be more competent and more fitted to take part in discussions like these than the educated Natives of Bengal. I have often seen in assemblies in this country large numbers of Native youths of Calcutta with eager faces and animated countenances, who evidently took the deepest and most lively interest in the subjects discussed. The Bengalees of this city and country have received a highly intellectual education; they are now prepared to make use of that education, and they can do so in no better way than in discussing questions which this Society may place before them. It may not be that the Bengalee shall ever attain the height to which they aspire of becoming the Scotchmen of the East; but they may at least become the Athenians of the East. They have all the intellect of the Athenian, if not all the vigour of the Scotchmen. Well, then, I say that if a society of this kind fulfils the objects which it might fulfil, it may exercise a great, a very great, influence in the country, and make this country a different country from what it has been hitherto. I will only mention two or three subjects by way of instance, regarding which this Association may well occupy itself, and, by so doing, do universal good.

The first I will mention is the production of food and the tenure of land. I put these first, because we must eat before we live. We must come into the world, first, no doubt; but we manage somehow to do that. Having come into the world, we must live, and therefore I have put before all other subjects of Social Science the means of production and the tenure of land. The subject of the tenure of land is one which has occupied the attention of the greatest men in the world. We are all aware of the great discussions regarding the relative advantages of large and small tenures, of large and small cultivations, of zemindaree and ryotee holdings; we know that the complications of the tenures of land are enormous; that the variety of these tenures are enormous; that very hot contests

have been held regarding the advantages and disadvantages of different tenures. That, I say, is a subject in regard to which this Association might well occupy itself. There are a great many questions in connection with this subject which it might well discuss,—the advantages of the different tenures, of the different systems of production, and the different modes of agriculture. They may not only promote these things, but also by full and free discussion encourage the landlords of this country, zemindars, to take an interest which they have not yet taken sufficiently in the science of agriculture and the productiveness of their estates. I hope that if these subjects become popular subjects, we shall find the zemindars doing more than they now do, cultivating home farms, and introducing improved modes of agriculture, tending to improve the condition of their tenantry. That is a great object which this Association might effect, influencing a very large proportion of influential zemindars of Bengal. Well, then, supposing the Association has by its efforts so increased the food products of the country that the people may live well, and supposing that they did not desire to go naked, I next assume that they must be clothed. Well, in regard to manufactures, we are by no means in the same stage as in regard to agriculture. Agriculture is one of the oldest arts in this country; but manufactures are, in one sense, in their infancy. The old manufactures have passed away, but a new age is beginning. I firmly believe that a new age of manufactures of the very utmost importance is beginning in this country. We see around us great mills for the manufacture of jute and cotton fibres; and, to my mind, there is no more interesting and hopeful sight than to see natives employed in these mills. It is the commencement of perhaps the greatest of modern problems, the commencement in this country of the problem of associated labour. The people of this country, standing alone as individuals, are a very industrious people, and far from an unskilful people. Although they want the means of agriculture which a Social Science Association may give them, still they are an industrious and skilful people standing alone in their own small way; but when they come to labour for others, I feel they do not do the same amount of labour that they do for themselves, and they will not do it till some system of associated labour is introduced. Those who employ coolies or gardeners by the month, feel that they get a comparatively small amount of labour out of them; but, on the other hand, we see in these mills a system of organised and associated labour; we see there natives of the humble classes performing work quite as

good, as valuable and true, as the best workmen of Great Britain. I say that in these mills you have a great engine of social science. A great many educated natives have taken great interest in the introduction of improved manufactures. I read with great pleasure the other day that two native gentlemen had started for England in order to instruct themselves in the manufactures of Europe. I trust that a very large proportion of the educated men of Bengal will be interested in manufactures, and in connection with this Social Science Association develop great blessings to the country.

Well then, Gentlemen, supposing that this Association has succeeded in the production of food to keep the people well fed, and in the production of good manufactures to clothe them, it follows that we should wish to keep the people so well provided for alive; and in that view the great subject of sanitation becomes a most important one. That subject was one the importance of which has been well recognised; but I am sorry to say that the success in promoting that subject has not been equal to the recognition of its importance. We all admit the need this country has for sanitation. This country is very deficient in the most ordinary sanitary appliances. I am far from saying that any of us can teach to this country a perfect sanitary science. I cannot but believe that sanitary science is all over the world in its early infancy. But I do say that this country is one in which that infant life can be nursed into maturity under the best circumstances, where the need is great, and where the opportunities of experiment are great, and the good to be effected is great. I say that if, by the influence of this Association, we can succeed in procuring for the towns and villages in this country a good supply of water; I say that if we can succeed in diffusing the means of combating the terrible forms of disease which ravage the country; and if we can influence the habits and the habitations and the dwellings of the people; if we can promote their health and comfort,—a great work will have been worked equal to any in the world.

Then, in connection with this subject of sanitation is another subject which has occupied the attention of this Society during the past two years. I am alluding to the subject of emigration. There has been a suggestion that the people are unhealthy and ill-fed, because there are too many of them. I will not say that is a just view, and I will not say, on the other hand, that it is a pity to deprive ourselves of our population. But the subject of emigration is at this moment one of very great importance, in

regard to which the labours of the Society in discussing it and in coming to conclusions are of very vital importance to the people. Mr. Geoghegan was good enough to read a paper, at the last meeting, on the subject of emigration. He showed many most interesting facts. Since the scarcity, which now presses upon us, that subject has become of more pressing importance. It is a subject which I venture to offer to the Society as one of pressing need, which this Society should discuss and deal with at the present time.

Well then, putting aside the question of emigration, supposing we are to keep our people, to do the best we can for them, comes the subject of education, which has been recognised in all parts of the world as a very great branch of Social Science. I am sure that there is no one here who does not recognise it in this country as a subject of the most overwhelming importance. We know how many subjects there are which give rise to differences of opinion in respect to which there is great room for improvement. I am quite sure that this Society cannot occupy itself better than in discussing this subject, and in determining how far the cultivation of the sciences is likely to lead to a still greater development of the useful arts; in what form and manner education might be best communicated to the people; what classes of the people we shall educate; and in what way, and to what degree, we shall give them education. I will not attempt to go into the many branches into which this subject might be divided, but I am sure that it will afford an almost unbounded field for discussion by this Society.

Well then, religion would scarcely be put as a subject of Social Science, but the social forms attached to religion, and the various forms which in various countries caste takes, are subjects of great importance, and may be properly discussed by a Social Science Association. Some people maintain that caste is the mere offspring of prejudice. It appears to me that the people of Bengal are fast coming to the belief that from a religious point of view caste has but little foundation. On the other hand, there are some people who maintain, and maintain with considerable show of reason, that castes are but hereditary divisions of labour. These subjects are of very immediate importance in this country, because this country is in a passing and transition stage, and upon the direction that opinions may take on this subject much of the forms of the future society of India is dependent. I believe that the future forms of society will be very much moulded by discussions in these social societies regarding these subjects of caste and cognate matters of that kind.

Then we come to a subject which embraces all other subjects, namely, the laws by which we are governed. That is a subject which has been taken up on several occasions in this Society; and, at a not very distant meeting, I had the pleasure of listening to the reading of a most admirable paper by the Honourable Mr. Justice Phear regarding the administration of justice in India. I am sure none of those who listened to that paper could have done so, without feeling that they had learnt much—that the door to discussion and improvement had been opened.

The laws by which we are governed must always be a great subject for discussion by this Society. True, this Association cannot make laws, but I believe they may largely influence those by whom the laws are made and administered.

Even more important than the laws, by which we are governed, are the social institutions by which we govern ourselves. I have said that in this country political freedom is almost impossible; but in this country we have to great extent a certain municipal freedom of our own. There are the old self-governing village communities which have prevailed over very great parts of India, and of which remains prevail in Bengal. This is a subject which has also occupied the attention of this Association. The Rev. Mr. Long, than whom no man is more competent to give an opinion on this matter, read a paper in this Institution, in which he compared in an admirable and exhaustive manner the village communities of India and the village communities of Russia. This is a subject which opens a wide field of discussion, and seems of the most overwhelming interest. I think that no subject has created a greater amount of interest in the world than the constitution of these self-governing village communities of India. You are all aware that the greatest nations in the world, the greatest states in the world, have risen from village communities. It was so in Greece, and the States of Greece were originally nothing but village communities, which eventually developed into states, small no doubt, but intellectually the most powerful the world has ever seen. Rome was originally but a village, and was a village which came to govern the world. My belief is that if the people of this country come to govern themselves in villages, they may succeed in governing themselves in larger things; and if this Association should succeed in showing the way to develop village institutions, they will go far towards preparing the country for political freedom. In fact, if these subjects are taken up, as the work of the Association, in the order in which

I have mentioned; if we come to a successful development of this great subject of self-government, it may be, from being what I have called a Social Parliament, we may in the course of time develop into a real Parliament with real powers; it may be that our grandchildren may see a Bengalee House of Commons sitting in this place, the legitimate successors of this Association. I have ventured to come down here not with anything worthy to say to you beyond this, that I hope we shall all together put our shoulders to the wheel, and do what we can to develop this Association; to make it what I have called a Social Parliament; to promote the progress of that Parliament, and to hasten the day when a Bengalee House of Parliament may take our place.

The Rev. Krishna Mohan Banerjee said:—I beg to move the thanks of the meeting to His Honour the Lieutenant-Governor not only for having accepted the office of our President, but also for the very interesting and practical address which he has just now delivered. The cheers with which you greeted that address makes my task all the more easy. It is not necessary for me to say much in commending this resolution to your acceptance. I know that it will meet with your hearty acceptance. But the points upon which His Honour has dwelt are points which are calculated to touch our hearts so nearly that it is impossible for me not to say that I heartily endorse his exhortation on all the topics, all the points to which His Honour has adverted. It is very true, gentlemen, that social freedom such as we possess, and a Social Science Association such as this, are just the things necessary and most proper for such a community as the mixed Anglo-Indian community of Calcutta. Here we have several communities differing in many important things, but in one sentiment they are all united, that is, first of all, the sentiment of loyalty to the great Sovereign of the British Empire; and, secondly, the desire of getting as much as our peculiar circumstances will allow something imparted to us of the civilisation of that Great Empire. These feelings, I think, are universal in this country. Gentlemen, here we have a European community in Calcutta, an East Indian community, a Mahomedan community, a Hindoo community, and a Native Christian community, all differing in many respects in religious sentiments, and in other things peculiar to their races. There may be also a great deal of rivalry between them. But in these two things they are all united—in the feeling of allegiance to Her Britannic Majesty, and in the desire of having imparted to them, as far as their circumstances will admit, the great civilisation of the British

Empire. We have heard the cry of "Eastward Ho!" but here the cry is "Westward Ho!" You have men burning with the desire of going to England and learning there. It may be that the desire is connected with the ambition of coming out as Civil servants, or barristers, or medical men. But all this proceeds from that other great desire of attaining the civilisation of Great Britain. They see the great effects of that civilisation in that country; they see its effects developed in the character of the people; they are desirous of partaking of that character, and of having that same civilisation amongst themselves. They know they cannot have the whole of it; they know the whole of it is not adapted to their circumstances and peculiarities of life. But so far as they are capable of having it, they have a greedy desire for it, and that we see manifested more and more every year. Now I say that an Association like this is just the place where all these differing elements of the great Ango-Indian community, of the different races of which it is composed, can meet upon one common ground, and freely discuss those great questions which His Honour has so lucidly and so forcibly placed before us. Of course the time has not come for anything like political freedom. Even as regards self-governing municipalities, we have no signs of that desire in Calcutta. We see villages, and suburban places, endeavouring to govern themselves. But Calcutta is composed of so many jarring elements that it thinks its best advantage is to trust to the good disposition of the Government. And therefore I have never yet heard any one crying out for that freedom, that municipal freedom of the electoral franchise, which in the other presidencies there has been a cry for, as well as in some of our not distant small towns and stations. And I believe they are wise. I think you will see that Calcutta will not be able to govern itself with an electoral franchise so well as it is now governed. Of course, we know what battles are fought at municipal meetings; but those very jarring elements lead to purify the atmosphere, and produce good results. But the time may come, as His Honour has very well said, which all desire so fervently, when this Social Science Association may grow into the House of Commons of India. Of course that must be, as His Honour has said, at a very remote period. I cannot say with His Honour "in the days of our grandchildren," because I have now a grandchild in this room itself. He does not see it. But the grandchildren of some of us here may see it, and that of course would be a very great day for India, and that can only be by the development of that civilisation and the increase of that education for which the British Government has been for so long

a series of years especially noted and distinguished, and for which the natives of this country have shown themselves to be so well fitted. I move the thanks of the meeting to His Honour the Lieutenant-Governor of Bengal for having accepted the office of our President, and also for the address which he has delivered to us, and I expect that it will be carried by acclamation.

Babu Keshub Chunder Sen said :—I have been asked to say a few words before formally seconding the vote of thanks proposed to His Honour the Lieutenant-Governor by the reverend gentleman who has just sat down. It is perhaps the duty of a Social Science Congress, at the end of each session, to take a retrospective view of the course of recent social changes, and to gather such lessons from the past as may help to regulate its movements in the future. Much wisdom certainly may be found in the past. We all admit, and it has been acknowledged by the most eminent statesmen, that the cultivation of Social Science in India is beset with difficulties of an almost insurmountable character, and that it has made no appreciable progress. But what is this owing to, but to the fact that Social Science has never been properly studied here? Surely there is no lack of interesting materials. Are there not questions of vital importance which challenge our serious consideration? Are there not many subjects stirring up hourly around us which we ought to discuss fully in order that the people, and also our rulers, may be guided aright? India is indeed a peculiarly favourable field for the growth and development of sociology as a science. But the fact that this science is still in a crude state here, and has not made any degree of perceptible development as yet, is owing to the circumstance of our having neglected it. None, I believe, can question its utility or importance. Even social reformers, who are trying to carry out practical reforms, and have often failed, are prepared to confess that, unless the constitution of native society is studied in a thoroughly scientific spirit, very little good can be achieved. Like all other sciences, Social Science requires nothing so much in its votaries to foster its growth as confidence and hope. The spirit of scepticism and despair kills science. It is evident that if the social phenomena which transpire among us daily produce a discouraging effect upon the mind, few could take any interest, speculative or practical, in sociology. There are men who feel that in India everything is discouraging. Education has not made much progress. The people are idle, and will not help themselves. It is impossible for a foreign Government to place sufficient

advantages before the people. It is impossible for philanthropic European gentlemen and ladies, with all the sincerity of their motives, with all their high character and zeal, to exercise a sufficiently ennobling influence upon the habits and manners of the people. All this has been said again and again by those who have learnt to take a gloomy view of things. But I should be excused for feeling and cherishing the most sanguine hopes in regard to the future of my country. Having had some degree of experience in the matter, I must say that all that we have seen, far from being calculated to depress us, tends to encourage us greatly. Many of the obstacles which for centuries stood in the way of social reform have been removed by the philanthropy of a generous Government. The abolition of suttee, the legalisation of the remarriage of widows, the suppression of infanticide, and the recent Marriage Act, which has afforded facilities towards the consummation of marriages among natives of different races and castes at the proper age: all these are material and valuable helps rendered by our Government towards the social advancement of the country. These reforms make us feel, as nothing else can, that we live truly in a land of social freedom. The thorns in our path have been removed, and it has been made smooth, and we can walk straight towards our destination. What remains to be done must be done by ourselves. Government has done its work in an encouraging manner, and it can hardly do anything more. The more important part of the work devolves on our own shoulders. All social disabilities having been removed by a wise and generous Legislature, it becomes our duty to avail ourselves of the facilities and advantages we have thus secured, and to make such use of these facilities and advantages as will enable us to improve our homes and our social condition generally. The State has not only cleared the ground but has also sown the seed of positive reform. Is not education making much progress? Schools are multiplying in all directions. The laying of the foundation stone of the Presidency College is a proof that the local Government is anxious, sincerely and earnestly anxious, about the education of the higher classes of the native community. And the liberal grant sanctioned by the Bengal Government towards the development of primary education amongst the masses, is also the best and surest guarantee we can possibly have that this matter will, in future, receive more earnest and generous attention at the hands of the Government. Thus, in regard to the education of the higher classes and the masses of the people, a great deal has been done by Govern-

ment. The success of the Calcutta University also shows that there is in the native mind in all the strata of native society an ardent desire for knowledge and intellectual light. This is to be found even among native women. I have been surprised to find that there is such an earnest hankering after knowledge among our countrywomen. They have not had that share of public attention which they should have had; nor has Government hitherto done much for them. But I hope and trust that the time is coming when our countrywomen will receive at least that attention which our countrymen have received from Government. There is no doubt, however, that there is a true and sincere desire for knowledge among all classes of native society. You may doubt everything else, but you cannot doubt this, that the people are sincerely anxious to receive knowledge. Open a school anywhere, and hundreds will at once rush into it, in order to avail themselves of the benefits of education. What does this show but that the people are ready to accept the advantages which a paternal Government is so anxious to confer upon them? All this is encouraging. It leads to the belief that our future is bright, not gloomy. With what zest and avidity must we apply ourselves to the study and practice of the principles of Social Science in a country where we meet with such rich materials of thought and cheering indications of progress! In England, the Prime Minister and the highest functionaries of the State often condescend to deliver public addresses and lectures on scientific and social subjects, which greatly influence public opinion and help national progress. I am heartily gratified to find that His Honour the Lieutenant-Governor has come forward to tell us, in the same generous spirit, all that he thinks will conduce to our welfare. I trust that his noble example will be followed by others in high position. It is an encouraging fact that the rulers and the ruled are trying to come together, and are entering into more cordial relations with each other. Upon no fact can we congratulate ourselves more heartily than upon the close commingling of races which we have seen of late. A vast social gulf has kept the two races separate and distinct from each other for many long years. Many philanthropists have been attempting to bridge this gulf. Lately we have seen not a few influential Europeans engaged in cultivating social intercourse with native gentlemen in a most friendly spirit. What Professor Max Müller has lately said with reference to creeds and religions applies with full force to nationalities and races. The very presence of Englishmen in India is, I believe, a source

of wisdom, wealth, and happiness to us. Only place these two races together in juxta-position, and they influence each other for their mutual good. Their mutual contact, even where there is no direct effort at reform, must lead to the improvement of both races. The European residents in India may not display anything in the shape of aggressive activity; let them only dwell amongst us and quietly influence us by their examples; that is enough. They will transfuse their spirit of progress and refinement into the native heart, and it will produce all those reforms which we need at the present moment. His Honour the Lieutenant-Governor has kindly paid us a very high compliment. The Bengalees have been characterised as the Athenians of India. I hope we shall do all in our power to deserve the compliment. But do we not feel that we are sadly deficient in that energy which is so eminently characteristic of Scotchmen, and which His Honour has always displayed in so striking a manner? We do want Scotch energy. Without energy our boasted freedom and boasted enlightenment will produce very little tangible result. We have been always preaching reforms, but we have not yet learnt to give effect to them in practice. May we have a little more of that Scotch element which Bengal especially, and all India, needs. It is to be hoped that this Association will not only study sociology as a science, but also go beyond the province of mere theories and half-hearted assumptions, in order to lend practical aid to the people who look up to it for light and guidance. As a theorising body, the Bengal Social Science Association will do very little real good to this country. There is much to be gained certainly in discussing political and social matters—such as law, commerce, emigration, sanitation, education, manufactures, marriage, caste. All these are subjects which ought to be properly studied. But shall we study them, simply that we may gather knowledge and add to our stock of information? Will statistics raise us in the scale of nations? Will scientific enlightenment make up for the defects of character? Let the honesty of our deliberations and the accuracy of our inferences be of an unimpeachable character. Yet a great deal will remain to be done. Unless we are determined to act with energy, and give effect to the principles of social science, we shall never improve our individual or national character. Before resuming my seat, I beg heartily to support the proposition of offering our best and most cordial thanks to His Honour the Lieutenant-Governor for his excellent and edifying address.

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THE END

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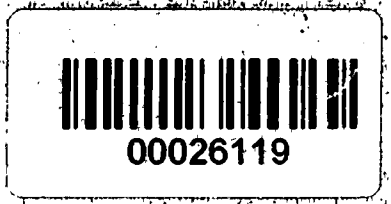

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